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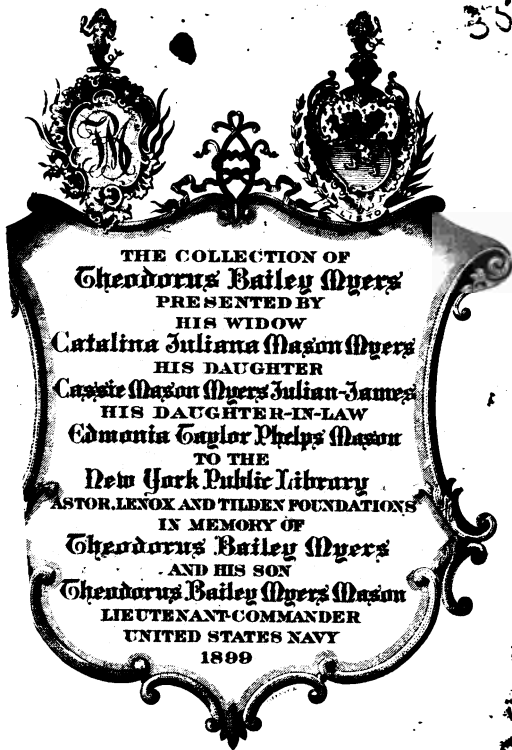
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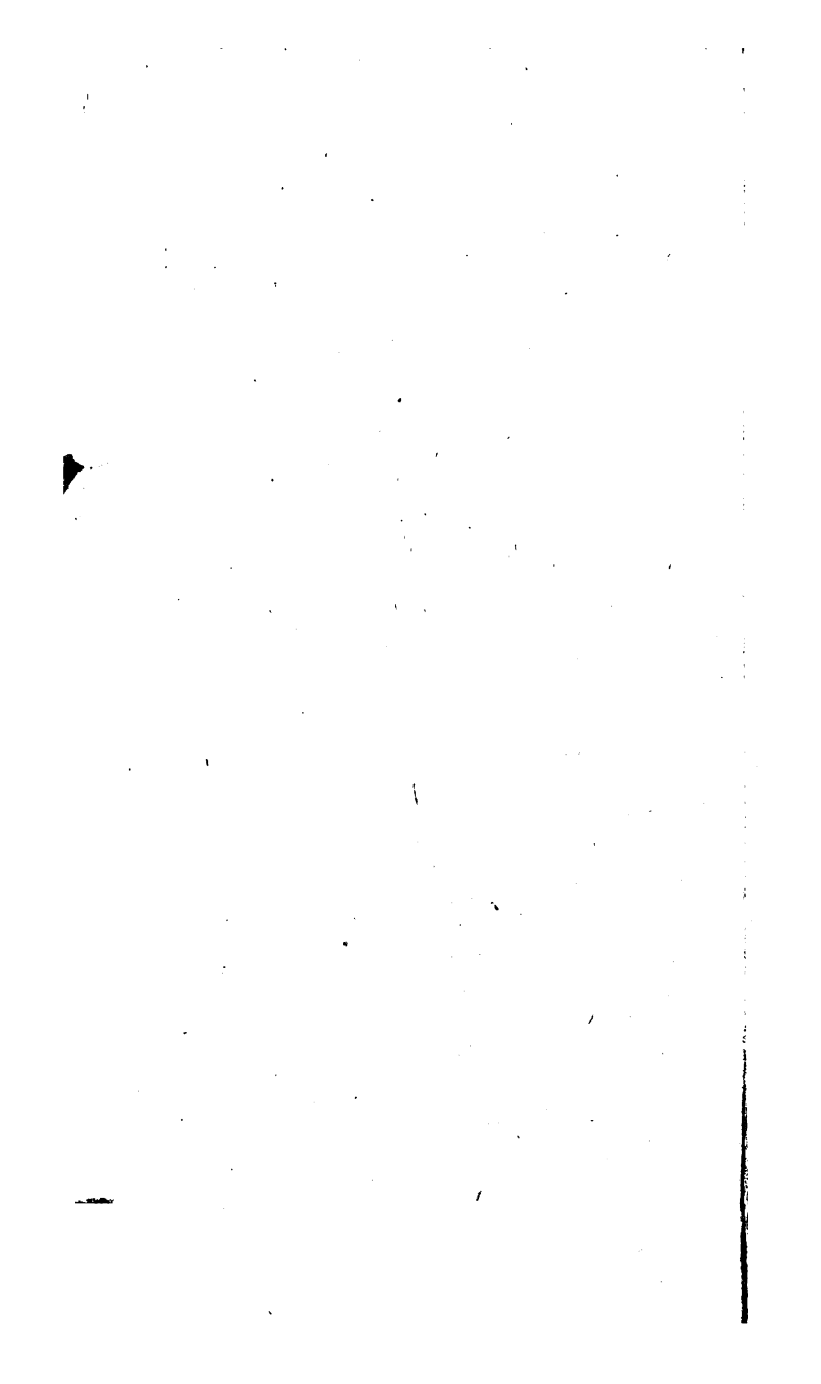
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THE COLLECTION OF  
**Theodorus Bailey Myers**  
PRESENTED BY  
HIS WIDOW  
**Catalina Juliana Mason Myers**  
HIS DAUGHTER  
**Cassie Mason Myers Julian-James**  
HIS DAUGHTER-IN-LAW  
**Edmonia Taylor Phelps Mason**  
TO THE  
**New York Public Library**  
ASTOR, LENOX AND TILDEN FOUNDATIONS  
IN MEMORY OF  
**Theodorus Bailey Myers**  
AND HIS SON  
**Theodorus Bailey Myers Mason**  
LIEUTENANT-COMMANDER  
UNITED STATES NAVY  
1899

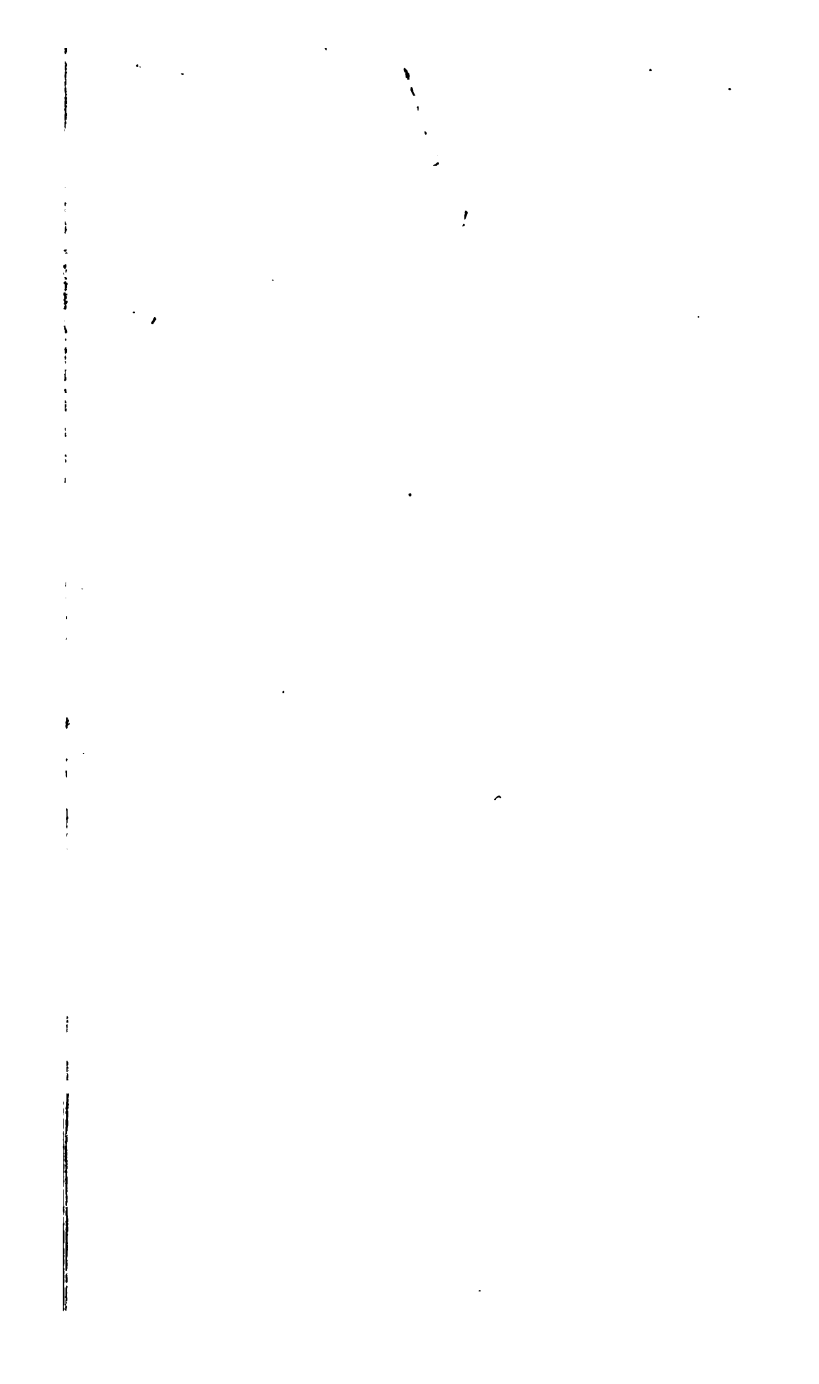
Jack

Eaton

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**THE LIFE**  
OF  
**MAJOR GENERAL**  
**ANDREW JACKSON:**

COMPRISING  
**A HISTORY**  
OF THE  
**WAR IN THE SOUTH;**  
FROM THE  
**COMMENCEMENT OF THE CREEK CAMPAIGN**  
TO THE  
TERMINATION OF HOSTILITIES BEFORE  
**NEW ORLEANS.**

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ADDENDA:  
CONTAINING A BRIEF  
**HISTORY OF THE SEMINOLE WAR,**  
AND  
CESSION AND GOVERNMENT OF FLORIDA.

BY JOHN HENRY EATON,  
SENATOR OF THE UNITED STATES' CONGRESS.

*Third edition.—Revised and Corrected by the Author.*

—•••••  
**Philadelphia:**  
PUBLISHED BY M. CATEY & DAVIS  
NO. 171 MARKET STREET.

1828.

**EASTERN DISTRICT OF PENNSYLVANIA, to wit:**



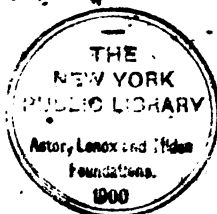
**BE IT REMEMBERED**, that on the fifteenth day of May, in the fifty-second year of the Independence of the United States of America, A. D. 1823, M'CARTY & DAVIS, of the said District, have deposited in this office the title of a book, the right whereof they claim as Proprietors, in the words following, to wit:—

The Life of Major General **ANDREW JACKSON**: comprising a History of the War in the South; from the commencement of the Creek Campaign to the termination of hostilities before New-Orleans. *Addenda*: containing a brief History of the Seminole War, and Cession and Government of Florida. By John Henry Eaton, Senator of the United States' Congress. Third edition. Revised and corrected by the Author.

In conformity to the Act of the Congress of the United States, entitled, "An Act for the Encouragement of Learning, by securing the copies of Maps, Charts, and Books, to the authors and proprietors of such copies, during the times therein mentioned;" And also to the act, entitled, "An act supplementary to an act, entitled, "An Act for the Encouragement of Learning, by securing the copies of Maps, Charts, and Books, to the authors and proprietors of such copies during the times therein mentioned;" and extending the benefits thereof to the Arts of designing, engraving, and etching historical and other prints."

**D. CALDWELL,**

*Clerk of the Eastern District of Pennsylvania.*



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## PREFACE.

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HE who ventures on a detail of events, recent in the recollection of the world, hazards much, and can scarcely expect to avoid censure. The numerous actors in, and spectators of, the scenes portrayed, entertaining different opinions of the facts as they transpired, and ascribing them to entirely different causes, becomes each a critic in his turn, accordingly as the narrative corresponds with, or is variant from his own opinion.

The historian who traces events, at a period remote from their occurrence, stands on more favourable ground, and has fewer difficulties to encounter: he then proceeds in his undertaking without being acted upon by prejudice, or influenced by partiality. His readers, too, are similarly situated. But he who draws them at a moment when recollection treasures them, is oftentimes placed under the influence of both—may be diverted insensibly from the course pointed out by truth;—ascribe events to motives that never induced them;—bestow censure where it is not due, and commendation where it is not merited.

To avoid errors so common, and to present things truly as they occurred, has been the wish of the author, and he believes he has succeeded. He believes so, because he had no inducement to do otherwise, and because, having all the original papers in his possession, and the opportunity of constant and repeated intercourse with the subject of this history, there was no avenue to error, unless from intention, and this he disclaims. He can therefore venture upon this assurance, that what is detailed may be taken as correct.

As regards the execution of the work, he has not much to offer to the consideration of the reader. He is willing to trust it to the world, without preface or apology;—without supplicating its charity or indulgence in its favour: from no belief that ample room is not afforded for both to be exercised in his behalf, but from a conviction that they are seldom or never extended, and that none has a right to ask for them, unless under peculiar circumstances. Whether he be competent to the task, is the duty of every

man to inquire, before he undertakes to become an author; no sooner does he appear before the public in that character, than they have a right to infer, that he has entire confidence in his own qualifications, and therefore may, with propriety, judge him "according to his works."

He who shall read what is written with a determination to be displeased, because it is not so perfect as he himself could have made it, is desired to remember, that there is every imaginable difference between him who has been accustomed to such pursuits, and, from habit, is enabled to give a happy arrangement to thought, and correctness to expression, and one who carries with him no such aid. But those who desire a correct view of those masterly exertions which constantly hurried their actor to the most brilliant and uninterrupted success—who can be pleased with benevolence and generosity, and strength, and nerve, and decision of character, concentrated in the same breast—with a career, which, at every step, evinced an unshaken determination to move forward for the benefit and exaltation of his country, at all hazards, and at every risk, will find much to admire. They will see the man, of whom they have already heard much, fearlessly encountering danger, and erecting himself in opposition to every design that came in collision with the duty he owed to the station he occupied; and who, in moments of extreme difficulty, did not shrink from responsibility; but, bringing to his aid the slender resources within his reach, protected and saved an all-important and valuable portion of his country, at a time when her warmest votaries regarded her cause, in that quarter, as hopeless.

It was desirable to avoid in the narrative, all those circumstances in which General Jackson was not directly concerned; but as the design was to give a complete history of the southern war, that plan has been pursued, and some events have been briefly adverted to, in which the General had no immediate agency.

The work, such as it is, is submitted to the public; and nothing either of charity or favour, supplicated in its behalf. The matter is important, and the manner of presenting it, if defective, may at least prove serviceable to some future historian.

JOHN H. EATON.

# THE LIFE OF ANDREW JACKSON.

## CHAPTER I.

His birth, parentage, family, and education.—Engages in the American Revolution, and is shortly after, with his brother, made a prisoner.—Their treatment and sufferings.—Commences the study of law.—His removal to the western country.—Anecdote.—Becomes a member of the Tennessee convention, and afterwards a senator in the United States' congress.—Retires, and is appointed a judge of the state courts.—Declaration of war.—Tenders the services of 2500 volunteers to the president.—Ordered to the lower country.—His descent and return, and discharge of the troops.

ANDREW JACKSON was born on the 15th day of March, 1767. His father, (Andrew) the youngest son of his family, emigrated to America from Ireland during the year 1765, bringing with him two sons, Hugh and Robert, both very young. Landing at Charleston, in South Carolina, he shortly afterwards purchased a tract of land, in what was then called the Waxsaw settlement, about forty-five miles above Camden; at which place the subject of this history was born. Shortly after his birth, his father died, leaving three sons to be provided for by their mother. She appears to have been an exemplary woman, and to have executed the arduous duties which had devolved on her, with great faithfulness and with much success. To the lessons she inculcated on the youthful minds of her sons, was, no doubt, owing, in a great measure, that fixed opposition to British tyranny and oppression, which afterwards so much distinguished them. Often would she spend the winter's evenings, in recounting the sufferings of their grandfather, at the siege of Carrick-

fergus, and the oppressions exercised by the nobility of Ireland, over the labouring poor; impressing it upon them, as a first duty, to expend their lives, if it should become necessary, in defending and supporting the natural rights of man.

Inheriting but a small patrimony from their father, it was impossible that all the sons could receive an expensive education. The two eldest were therefore only taught the rudiments of their mother tongue, at a common country school. But Andrew, being intended by his mother for the ministry, was sent to a flourishing academy at the Waxsaw meeting house, superintended by Mr. Humphries: Here he was placed on the study of the dead languages, where he continued until the revolutionary war extending its ravages into that section of South Carolina, rendered it necessary that every one should betake himself to the American standard, seek protection with the enemy, or flee his country. It was not an alternative that admitted of tedious deliberation. The natural ardour of his temper, deriving encouragement from the recommendations of his mother, whose feelings were not less alive on the occasion than his own; and excited by those sentiments in favour of liberty, with which, by her conversation, his mind had been early endued, quickly determined him in the course to be pursued; and at the tender age of fourteen, accompanied by his brother Robert, he hastened to the American camp, and engaged actively, in the service of his country. His oldest brother, who had previously joined the army, lost his life at the battle of Stono, from the excessive heat of the weather, and the fatigues of the day.

Both Andrew and Robert, at this period, were pretty well acquainted with the manual exercise, and had some idea of the different evolutions of the field, having been indulged by their mother in attending the drill and general musters of the neighbourhood.

The Americans being unequal, as well from the inferiority of their numbers, as their discipline, to engage the British army in battle, had retired into the interior of North Carolina; but when they learned, that lord Cornwallis had crossed the Yadkin, they returned in small detachments to their native state. On their arrival, they found lord Rawdon in possession of Camden, and the whole country around in a state of desolation. The Bri-



fish commander being advised of the return of the settlers of Waxsaw, major Coffin was despatched with a corps of light dragoons, a company of infantry, and a considerable number of tories, for their capture and destruction. Hearing of their approach, the settlers, without delay, appointed the Waxsaw meeting house as a place of rendezvous, that they might the better collect their scattered strength, and concert some system of operations. About forty of them, had accordingly assembled at this point, when the enemy approached, keeping the tories, who were dressed in the common garb of the country, in front, whereby this little band of patriots was completely deceived, having taken them for captain Nisbet's company, in expectation of which they had been waiting. Eleven were taken prisoners; the rest with difficulty fled, dispersing and betaking themselves to the woods for concealment. Of those who thus escaped, though closely pursued, were Andrew Jackson and his brother, who, entering a secret bend in a creek, that was close at hand, obtained a momentary respite from danger, and avoided, for the night, the pursuit of the enemy. The next day, however, having gone to a neighbouring house, for the purpose of procuring something to eat, they were broken in upon, and made prisoners, by Coffin's dragoons, and a party of tories who accompanied them. Those young men, with a view to security, had placed their horses in the wood, on the margin of a small creek, and posted, on the road which led by the house, a sentinel, that they might have information of any approach, and in time to be able to elude it. But the tories, who were well acquainted with the country and the passes through the forest, had, unfortunately, passed the creek at the very point where the horses and baggage of our young soldiers were deposited, and taken possession of them. Having done this, they approached cautiously, the house, and were almost at the door before they were discovered. To escape was impossible, and both were made prisoners. Being placed under guard, Andrew was ordered, in a very imperious tone, by a British officer, to clean his boots, which had become muddied in crossing the creek. This order he positively and peremptorily refused to obey, alleging that he looked for such treatment as a prisoner had a right to expect. Incensed at his refusal, the officer aimed a blow at his head with a drawn sword, which would, very probably, have

terminated his existence, had he not parried its effects by throwing up his left hand, on which he received a severe wound, the mark of which he bears to this hour. His brother, at the same time, for a similar offence, received a deep cut on the head, which subsequently occasioned his death. They were both now taken to jail, where, separated and confined, they were treated with marked severity, until a few days after the battle before Camden, when, in consequence of a partial exchange, effected by the intercessions and exertions of their mother, and captain Walker, of the militia, they were both released from confinement. Captain Walker had, in a charge on the rear of the British army, succeeded in making thirteen prisoners, whom he gave in exchange for seven Americans, of which number were these two young men. Robert, during his confinement in prison, had suffered greatly; the wound on his head, all this time, having never been dressed, was followed by an inflammation of the brain, which, in a few days after his liberation, brought him to the grave. To add to the afflictions of Andrew, his mother, worn down by grief, and her incessant exertions to provide clothing and other comforts for the suffering prisoners, who had been taken from her neighbourhood, expired in a few weeks after her son, near the lines of the enemy, in the vicinity of Charleston. Andrew, the last and only surviving child, confined to a bed of sickness, occasioned by the sufferings he had been compelled to undergo, whilst a prisoner, and by exposure on his returning from his captivity, was thus left in the wide world, without a human being with whom he could claim a near relationship. The small pox, about the same time, having made its appearance upon him, had well nigh terminated his sorrows and his existence.

Being at length recovered from his complicated afflictions, he entered upon the enjoyment of his estate, which, although small, would have been sufficient, under prudent management, to have completed his education, on the liberal scale which his mother had designed. Unfortunately, however, he, like too many young men, sacrificing future prospects to present gratification, expended it with rather too profuse a hand. Coming, at length, to foresee that he should be finally obliged to rely on his own exertions, for support and success in life, he again betook himself to his studies with increased industry. He re-

commenced under Mr. M'Culloch, in that part of Carolina which was then called the New Acquisition, near Hill's iron works. Here he revised the languages, devoting a portion of his time to a desultory course of studies.

His education being completed, so far as his wasted patrimony, and the limited opportunities then afforded in that section of the country, would permit, at the age of eighteen, he turned his attention to acquiring a profession, and in preparing himself to enter on the busy scenes of life. The pulpit, for which he had been designed by his mother, was now abandoned for the bar; and, in the winter of 1784, he repaired to Salisbury, in North Carolina, and commenced the study of law, under Spruce M'Cay, Esq. (afterwards one of the judges of that state,) and subsequently continued it under colonel John Stokes. Having remained at Salisbury until the winter of 1786, he obtained a license from the judges to practise law, and continued in the state until the spring of 1788.

The observations he was enabled, during this time, to make, satisfied him that this state presented few inducements to a young attorney; and recollecting that he stood a solitary individual in life, without relations to aid him in the onset, when innumerable difficulties arise and retard success, he determined to seek a new country. But for this, he might have again returned to his native state; the death, however, of every relation he had, had wiped away all those endearing recollections and circumstances which warp the mind to the place of its nativity. The western parts of the state of Tennessee were, about this time, often spoken of, as presenting flattering prospects to adventurers. He immediately determined to accompany judge M'Nairy thither, who had been appointed, and was going out to hold the first supreme court that had ever sat in the state. Having reached the Holston, they ascertained it would be impossible to arrive at the time appointed for the session of the court; and therefore determined to remain in that section of country until fall. They recommenced their journey in October, and passing through an extensive uninhabited country, reached Nashville in the same month. It had not been Jackson's intention, certainly, to make Tennessee the place of his future residence; his visit was merely experimental, and his stay remained to be determined by the advantages that might be disclosed; but finding, soon after his arrival, that a con-

siderable opening was offered for the success of a young attorney, he determined to remain. To one of refined feelings, the prospect before him was, certainly, not of an encouraging cast. As in all newly settled countries must be the case, society was loosely formed, and united by but few of those ties which have a tendency to enforce the performance of moral duty, and the right execution of justice. The young men of the place, adventurers from different sections of the country, had become indebted to the merchants; there was but one lawyer in the country, and they had so contrived, as to retain him in their business; the consequence was, that the merchants were entirely deprived of the means of enforcing against those gentlemen the execution of their contracts. In this state of things Jackson made his appearance at Nashville, and while the creditor class looked to it with great satisfaction, the debtors were sorely displeased. Applications were immediately made to him for his professional services, and on the morning after his arrival he issued seventy writs. To those prodigal gentlemen, it was an alarming circumstance; their former security was impaired; but that it might not wholly depart, they determined to force him, in some way or other, to leave the country; and to effect this, broils and quarrels with him were to be resorted to. This, however, was soon abandoned, satisfied, by the first controversy in which they had involved him, that his decision and firmness were such as to leave no hope of effecting any thing through this channel. Disregarding the opposition raised to him, he continued, with care and industry, to press forward in his professional course, and his attention soon brought him forward, and introduced him to a profitable practice. Shortly afterwards, he was appointed by Washington, attorney general for the district, in which capacity he continued to act for several years.

Indian depredations being then frequent on the Cumberland, every man, of necessity, became a soldier. Unassisted by the government, the settlers were forced to rely for security on their own bravery and exertions. Although young, no person was more distinguished than Andrew Jackson, in defending the country against these predatory incursions of the savages, who continually harassed the frontiers, and not unfrequently approached the heart of the settlements, which were thin, but not widely extended.

He aided alike in garrisoning the forts, and in pursuing and chastising the enemy.

In the year 1796, having, by his patriotism, firmness, and talents, secured to himself a distinguished standing with all classes, he was chosen one of the members of the convention, for establishing a constitution for the state. His good conduct and zeal for the public interest, and the republican feelings and sentiments which were conspicuously disclosed in the formation and arrangement of this instrument, brought him more prominently to view; and, without proposing or soliciting, he was, in the same year, elected a member of the house of representatives, in congress, for the state of Tennessee. The following year, his reputation continuing to increase, and every bosom feeling a wish to raise him to still higher honours, he was chosen a senator of the United States congress, and took his seat on the 22d day of November, 1797. About the middle of April, business of an important and private nature, imposed on him the necessity of asking leave of absence, and returning home. Leave was granted, and before the next session he resigned his seat. He was but a little more than thirty years of age, and hence, scarcely eligible, by the constitution, at the time he was elected. The sedition law, about which so much concern and feeling has been manifested through the country, was introduced into the senate, by Mr. Lloyd, of Maryland, in June, and passed that body on the 4th of July following; hence the name of Jackson, owing to the leave of absence which had been granted him in April, does not appear on the journals. On the alien law, however, and the effort to repeal the stamp act, he was present, resting in the minority, and on the side of the Republican principles of the country.\*

The state of Tennessee, on its admission into the Union, comprising but one military division, and general Conway, who commanded it, as major-general, dying about this time, Jackson, without being consulted on the subject,

\* The names of those senators who voted for a repeal of the alien law, and stamp act, so obnoxious to the republicans of this country, at the session of 1798, were Anderson, Bloodworth, Brown, Foster, Green, Jackson, Langdon, Livermore, Martin, Mason, Tazewell. Against the repeal, Chapman, Clayton, Goodhue, Hillhouse, Howard, Latimer, Lawrence, Lloyd, North, Paine, Read, Rutherford, Sedgwick, Stockton, Tracy.

and without the least intimation of what was in agitation, was, as the constitution of the state directs, chosen by the field officers, to succeed him; which appointment he continued to hold until May, 1814, when he was constituted a major-general in the United States' service.

Becoming tired of political life, for the intrigues of which he declared himself unqualified, and having for two years voted in the minority in congress, he resigned, after the first session, his seat in the senate. To this measure he was strongly induced, from a desire to make way for general Smith, who, because of his more advanced age, he conjectured, would be able to render more important services to the government than himself. His country, however, unwilling that his talents should remain inactive and unemployed, again demanded his services. Immediately after his resignation, he was appointed one of the judges of the supreme court of the state. Sensibly alive to the difficult duties of this station, distrusting his legal acquirements, and impressed with the great injury he might produce to suitors, by erroneous decisions, he advanced to the office with reluctance, and in a short time resigned, leaving it open for those, who, he believed, from longer experience, were better qualified than himself, to discharge its intricate and important duties. Unambitious of those distinctions and honours which young men are usually proud to possess; finding too, that his circumstances and condition in life, were not such as to permit his time and attention to be devoted to public matters, he determined to yield them into others' hands, and to devote himself to agricultural pursuits; and accordingly settled himself on an excellent farm, ten miles from Nashville, on the Cumberland river; where, for several years, he enjoyed all the comforts of domestic and social intercourse. Abstracted from the busy scenes of public life, pleased with retirement, surrounded by friends whom he loved, and who entertained for him the highest veneration and respect; and blessed with an amiable and affectionate consort, nothing seemed wanting to the completion of that happiness which he so anxiously desired whilst in office.

But a period approached, when all these endearments were again to be abandoned, for the duties of more active life. Great Britain, by multiplied outrages on our rights, as an independent and neutral nation; had provoked from our government a declaration of war against her. This

measure, though founded in abundant cause, had been long forborne, and every attempt at conciliation made, without effect: when, at length, it was resorted to, as the only alternative that could preserve the honour and dignity of the nation, General Jackson, ever devoted to the interest of his country, from the moment of the declaration, knew no wish so strong as that of entering into her service, against a power, which, independent of public considerations, he had many private reasons for disliking. In her, he could trace sufferings and injuries received, and the efficient cause, why, in early life, he had been left forlorn and wretched, without a single relation in the world. His proud and inflexible mind, however, could not venture to solicit an appointment in the army, which was about to be raised. He accordingly remained wholly unknown, until, at the head of the militia, employed against the Creek Indians, his constant vigilance, and the splendour of his victories, apprised the general government of those great military talents which he so eminently possessed, and conspicuously displayed, when opportunities for exerting them were afforded.

The acts of congress, of the 6th of February, and July, 1812, afforded the means of bringing into view a display of those powers, which, being unknown, under other circumstances, unfortunately, might have slumbered in inaction. Under the authority of these acts, authorizing the president to accept the services of fifty thousand volunteers, he addressed the citizens of his division, and twenty-five hundred flocked to his standard. A tender of them having been made, and the offer accepted, in November he received orders to place himself at their head and to descend the Mississippi, for the defence of the lower country, which was then supposed to be in danger. Accordingly, on the 10th of December, those troops rendezvoused at Nashville, prepared to advance to the place of their destination; and, although the weather was then excessively severe, and the ground covered with snow, no troops could have displayed greater firmness. The general was every where with them, inspiring them with the ardour that animated his own bosom. The cheerful spirit with which they submitted to hardships, and bore privations, on the very onset of their military career, as well as the order and subordination they so readily observed,

were happy presages of what was to be expected, when they should be directed to face an enemy.

Having procured supplies, and made the necessary arrangements for an active campaign, they proceeded, the 7th of January, on their journey; and, descending the Ohio and Mississippi, through cold and ice, arrived, and halted at Natchez. Here Jackson had been instructed to remain, until he should receive further orders. Having chosen a healthy site for the encampment of his troops, about two miles from Washington, he devoted his time, with the utmost industry, to training and preparing them for active service. The clouds of war, however, in that quarter, having blown over, an order was received from the secretary of war, dated the 5th of January, directing him, on the receipt thereof, to dismiss those under his command, from service, and to take measures for delivering over every article of public property, in his possession, to brigadier general Wilkinson. When this order reached his camp, there were one hundred and fifty on the sick report, fifty-six of whom were unable to raise their heads, and almost the whole of them destitute of the means of defraying the expenses of their return. The consequence of a strict compliance with the secretary's order, inevitably would have been, that many of the sick must have perished, whilst most of the others, from their destitute condition would, of necessity, have been compelled to enlist in the regular army, under general Wilkinson. Such alternatives were neither congenial with their general's wishes, nor such as this band of volunteers had expected, on adventuring with him in the service of their country; he had carried them from home, and, the fate of war and disease apart, it was his duty, he believed, to bring them back. Whether an expectation that, by this plan, many of them would be compelled into the regular ranks, had formed any part of the motive that occasioned the order for their discharge, at so great a distance from home, cannot be known; and it would be uncharitable to insinuate against the government so serious and foul an accusation, without the strongest evidence to support it. Be this as it may, General Jackson could not think of sacrificing or injuring an army that had shown such devotedness to their country; and he determined to disregard the order, and march them again to their homes, where they had been embodied, rather than discharge them where they would be exposed to the great



est hardships and dangers. To this measure he was prompted, not only by the reasons already mentioned, but by the consideration, that many of the troops under his command were young men, the children of his neighbours and acquaintances, who had delivered them into his hands, as to a guardian, who, with parental solicitude, would watch over and protect their welfare. To have abandoned them, therefore, at such a time, and under such circumstances, would have drawn on him the merited censure of the most deserving part of his fellow-citizens, and sensibly wounded his own generous feelings. Add to this, those young men who were confined by sickness, learning the nature of the order he had received, implored him, with tears in their eyes, not to abandon them in so great an extremity, reminding him, at the same time, of his assurances, that he would be to them as a father; and of the implicit confidence they had placed in his word. This was an appeal, which it would have been difficult for the feelings of Jackson to have resisted, had it been without the support of other weighty considerations; but, influenced by them all, he had no hesitation in coming to a determination.

Having made known his resolution to the field officers of his division, it met, apparently, their approbation; but, after retiring from his presence, they assembled late at night, in secret caucus, and proceeded to recommend to him an abandonment of his purpose, and an immediate discharge of his troops. Great as was the astonishment, which this measure excited in the General, it produced a still higher sentiment of indignation. In reply, he urged the duplicity of their conduct, and reminded them, that although to those who possessed funds and health, such a course could produce no inconvenience, yet to the unfortunate soldier, who was alike destitute of both, no measure could be more calamitous. He concluded by telling them, that his resolution not having been hastily concluded on, nor bottomed on light considerations, was unalterably fixed; and that immediate preparations must be made for carrying into execution the determination he had formed.

He lost no time in making known to the secretary of war the resolution he had adopted; to disregard the order he had given, and to return his army to the place where he had received it. He painted in strong terms the evils which the course pursued by the government was calcu-

lated to produce, and expressed the astonishment he felt, that it should have originated with the famous author of the "Newburg Letters," the once redoubted advocate of soldiers' rights.

General Wilkinson, to whom the public property was directed to be delivered, learning the determination which had been taken by Jackson, to march his troops back, and to take with them so much of that property as should be necessary to their return, in a letter of solemn and mysterious import, admonished him of the consequences which were before him, and of the awful and dangerous responsibility he was taking on himself, by so bold a measure. General Jackson replied, that his conduct, and the consequences to which it might lead, had been deliberately weighed, and well considered, and that he was prepared to abide the result, whatever it might be. Wilkinson had previously given orders to his officers, to recruit from Jackson's army; they were advised, however, on their first appearance, that those troops were already in the service of the United States, and that thus situated, they should not be enlisted; and that he would arrest and confine the first officer who dared to enter his encampment with any such object in view.

The quarter-master, having been ordered to furnish the necessary transportation, for the conveyance of the sick and the baggage to Tennessee, immediately set about the performance of the task; but, as the event proved, with not the least intention of executing it. Still, he continued to keep up the semblance of exertion; and the better to deceive, the very day before that which had been appointed for breaking up the encampment, and commencing the return march, eleven wagons arrived there by his order. The next morning, however, when every thing was about to be packed up, acting doubtless from orders, and intending to produce embarrassment, the quarter-master entered the encampment, and discharged the whole. He was grossly mistaken in the man he had to deal with, and had now played his tricks too far to be able to accomplish the object, which he had, no doubt, been instructed to effect. Disregarding their dismissal, so evidently designed to prevent his marching back his men, General Jackson seized upon these wagons, yet within his lines, and compelled them to proceed to the transportation of his sick. It deserves to be recollected, that this quarter-master, so soon

as he received directions for furnishing transportation, had despatched an express to General Wilkinson: and there can be but little doubt, that the course of duplicity he afterwards pursued, was a concerted plan between him and that general, to defeat the design of Jackson; compel him to abandon the course he had adopted; and, in this way, draw to the regular army many of the soldiers, who, from necessity, would be driven to enlist. In this attempt, they were fortunately disappointed. Adhering to his original purpose, he successfully resisted every stratagem of Wilkinson, and marched the whole of his division to the section of country whence they had been drawn, and dismissed them from service, as he had been instructed.

To present an example that might buoy up the sinking spirits of his troops, in the long and arduous march before them, he yielded up his horses to the sick, and trudging on foot, encountered all the hardships that were met by the soldiers. It was at a time of year when the roads were extremely bad, and the swamps, lying in their passage, deep and full; yet, under these circumstances, he placed before his troops an example of patience and hardship that lulled to silence all complaints, and won to him, still stronger than before, the esteem and respect of every one. On arriving at Nashville, he communicated to the president of the United States the course he had pursued, and the reasons that had induced it. If it had become necessary, he had sufficient grounds on which he could have justified his conduct. Had he suffered General Wilkinson to have accomplished what was clearly his intention, although an event which might, at the moment, have benefited the service, by adding an increased strength to the army, yet the example would have been of so serious and exceptionable a character, that injury would have been the final and unavoidable result. Whether the intention of thus forcing these men to enlist into the regular ranks, had its existence under the direction of the government, or not, such would have been the universal belief; and all would have felt a deep abhorrence, at beholding the patriots of the country drawn off from their homes, under pretence of danger, whilst the concealed design was, by increasing their necessities, at a distance from their residence, to compel them to an act which they would have abstained from under different circumstances. His con-

duct, terrible as it first appeared, was in the end approved, and the expenses incurred directed to be paid by the government.

## CHAPTER II.

Indian preparation for hostilities.—Tecumseh arrives amongst the southern tribes; his intrigues.—Civil wars of the Creeks.—Destruction of, and butchery at Fort Mimms.—Expedition against the Indians.—Jackson unites with the army, and enters the enemy's country.—Scarcity of supplies in his camp.—Learns the savages are embodied.—His address to his troops.—Detaches General Coffee across the Coosa.—Battle of Tallushatchee.

THE volunteers, who had descended the river, having been discharged, early in May, there was little expectation that they would again be called for. Tennessee was too remotely situated in the interior of the country, to expect their services would be required for her defence, and hitherto the British had discovered no serious intention of waging operations against any part of Louisiana. Their repose, however, was not of long duration. The Creek Indians, inhabiting the country lying between the Chatahochee and Tombigbee, and extending from the Tennessee river to the Florida line, had lately manifested strong symptoms of hostility towards the United States, from which they had received yearly pensions, and every assistance which the most liberal policy could bestow. This disposition was greatly strengthened, through means used by the northern Indians, who were then making preparations for a war against the United States, and who wished to engage the southern tribes in the same enterprise. This they believed to be of great importance; as, by assailing the whole line of our frontiers, at the same time, they would be able, at once, to gratify their vengeance, and to enrich themselves with plunder.

An artful impostor had, about this time, sprung up among the Shawnees, who, by passing for a prophet, commissioned by "the Great Spirit," to communicate his mandates and assurances to his red children, had acquired, among his own and the neighbouring tribes, a most astonishing influence. Clothed, as they believed him to be, with such high powers, they listened to his extravagant

doctrines, and in them fully confided. In a little time, he succeeded in kindling a phrensy and rage against the Americans, which soon after burst forth in acts of destructive violence. His brother, Tecumseh, who became so famous during the war, and who was killed subsequently, at the battle of the Thames, was despatched to the southern tribes, to excite in them the same temper. To the Creeks, as by far the most numerous and powerful, as well as the most liable, from their situation and habits, to be influenced by his suggestions, he directed his principal attention. Having entered their nation, some time in the spring of 1812, he repaired to Tookaubatcha, where he had repeated conferences with the chiefs; but not meeting with the encouragement he expected, he returned to the Alabama, which he had previously visited, and there commenced his operations.

Finding here several leaders of great influence, who readily entered into his views, he was enabled to carry on his schemes with greater success. Deriving his powers from his brother, *the Prophet*, whose extraordinary commission and endowments were well understood by all the neighbouring tribes in the south, his authority was regarded with the highest veneration. He strongly interdicted all intercourse with the whites, and prevailed on the greater part of the Alabama Indians to throw aside the implements and clothing which that intercourse had furnished, and return again to their savage state, from which he represented them as highly culpable for having suffered themselves to be estranged. In a word, no means were left untried to excite them to the most deadly animosity and cruel war. To afford additional weight to his councils, this designing missionary gave assurances of aid and support from Great Britain; whose power and riches he represented as almost without limits, and quite sufficient for the subjugation of the United States. So considerable an influence did his intrigues and discourses obtain over the minds of many, that it was with difficulty the most turbulent of them could be restrained from running immediately to arms, and committing depredations on the exposed frontiers. This hasty measure, however, he represented as calculated to defeat the great plan of operations which he was labouring to concert; and enjoined forbearance, until the moment should arrive, when, all their preparations being ready, they might strike a general and decisive blow; in

the mean time, they were to be industriously employed in collecting arms and ammunition, and other necessary implements of war.

Having ordained a chief prophet, whose word was to be regarded as infallible, and whose directions were to be implicitly followed; and established a regular gradation of inferior dependents, to disseminate his doctrines through the different parts of the nation, Tecumseh set out to his own tribe, accompanied by several of the natives.

From this time, a regular communication was maintained between the Creeks and the northern tribes, in relation to the great enterprise which they were concerting together; whilst the parties, carrying it on, committed frequent depredations on the frontier settlers. By one of these, in the summer of 1812, several families had been murdered in a shocking manner, near the mouth of the Ohio; and shortly afterwards, another party, entering the limits of Tennessee, under circumstances of still greater barbarity, butchered two families of women and children. Similar outrages were committed on the frontiers of Georgia, and were continued, at intervals, on the inhabitants of Tennessee, along her southern boundary.

These multiplied outrages at length attracted the attention of the general government, and application was made, through their agent, (Colonel Hawkins,) to the principal chiefs of the nation, who, desirous of preserving their friendly relations with the United States, resolved to punish the murderers with death; and immediately appointed a party of warriors to carry their determination into execution. No sooner was this done, than the spirit of the greater part of the nation, which, from policy, had been kept in a considerable degree, dormant, suddenly burst to a flame, and kindled into civil war.

It was not difficult for the friends of those murderers, who had been put to death, to prevail on others, who secretly applauded the acts for which they suffered, to enter warmly into their resentments against those who had been concerned in bringing them to punishment. An occasion, as they believed, was now presented which fully authorized them to throw aside all those injunctions of secrecy, with regard to their hostile intentions, which had been imposed on them by Tecumseh and their prophets. This restraint, which, hitherto, they had regarded with much difficulty, they now resolved to lay aside, and to execute at

once their insatiate and long-projected vengeance, not only on the white people, but on those of their own nation, who, by this last act of retaliatory justice, had unequivocally shown a disposition to preserve their friendship with the former. The cloak of concealment being now thrown aside, the war clubs were immediately seen in every section of the nation; but more particularly among the numerous hordes residing near the Alabama. Brandishing them in their hands, they rushed, in the first instance, on those of their own countrymen who had shown a disposition to preserve their relations with the United States, and obliged them to retire towards the white settlements, and place themselves in forts, to escape the first ebullition of their rage. Encouraged by this success, and their numbers, which hourly increased, and infatuated to the highest degree by the predictions of their prophets, who assured them that "the Great Spirit" was on their side, and would enable them to triumph over all their enemies, they began to make immediate preparations for extending their ravages to the white settlements. Fort Mimms, situated in the Tensaw settlement, in the Mississippi territory, was the first point destined to satiate their cruelty and vengeance. It contained, at that time, about one hundred and fifty men, under the command of major Beasley, besides a considerable number of women and children, who had betaken themselves to it for security. Having collected a supply of ammunition, from the Spaniards at Pensacola, and assembled their warriors, to the number of six or seven hundred, the war party, commanded by Weatherford, a distinguished chief of the nation, on the 30th of August commenced their assault on the fort; and having succeeded in carrying it, put to death nearly three hundred persons, including women and children, with the most savage barbarity. The slaughter was indiscriminate; mercy was extended to none; and the tomahawk, at the same stroke, often cleft the mother and the child. But seventeen of the whole number, in the fort, escaped, to bring intelligence of the dreadful catastrophe. This monstrous and unprovoked outrage no sooner reached Tennessee, than the whole state was thrown into a ferment, and nothing was thought or spoken of but retaliatory vengeance. Considerable excitement had already been produced by brutalities of earlier date, and measures had been adopted by the governor, in conformity with instructions from the secre-

tary of war, for commencing a campaign against them; but the massacre at Fort Mimms, which threatened to be followed by the entire destruction of the Mobile and Tombigbee settlements, inspired a deep and universal sentiment of solicitude, and an earnest wish for speedy and effectual operations. The anxiety felt on the occasion, was greatly increased from an apprehension that General Jackson would not be able to command. He was the only man, known in the state, who was believed qualified to discharge the arduous duties of the station, and who could carry with him the complete confidence of his soldiers. He was at this time seriously indisposed, and confined to his room, with a fractured arm; but although this apprehension was seriously indulged, arrangements were in progress, and measures industriously taken, to prepare and press the expedition with every possible despatch.

A numerous collection of respectable citizens, who convened at Nashville on the 18th of September, for the purpose of devising the most effectual ways and means of affording protection to their brethren in distress, after conferring with the governor and General Jackson, who was still confined to his room, strongly advised the propriety of marching a sufficient army into the heart of the Creek nation; and accordingly recommended this measure, with great earnestness, to the legislature, which, in a few days afterwards, commenced its session. That body, penetrated with the same sentiments which animated the whole country, immediately enacted a law, authorizing the executive to call into the field thirty-five hundred of the militia, to be marched against the Indians; and, to guard against all difficulties, in the event the general government should omit to adopt them into their service, three hundred thousand dollars were voted for their support.

Additional reasons were at hand why active operations should be commenced with the least possible delay. The settlers were fleeing to the interior, and every day brought intelligence, that the Creeks, collected in considerable force, were bending their course towards the frontiers of Tennessee. The governor now issued an order to General Jackson, who, notwithstanding the state of his health, had determined to assume the command, requiring him to call out, and rendezvous at Fayetteville, in the shortest possible time, two thousand of the militia and volunteers of his division, to repel any invasion that might be contemplated



Colonel Coffee, in addition to five hundred cavalry, already raised, and under his command, was authorized and instructed to organize and receive into his regiment, any mounted riflemen that might make a tender of their services.

Having received these orders, Jackson hastened to give them effect; and with this object, and a view to greater expedition, appealed to those volunteers, who, with him, had heretofore descended the Mississippi to Natchez. He urged them to appear at the place designated for the rendezvous, on the 4th of October, equipped and armed for active service. He pointed out the imperious necessity which demanded their services, and urged them to be punctual; for that their frontiers were threatened with invasion by a savage foe. "Already are large bodies of the hostile Creeks marching to your borders, with their scalping knives unsheathed, to butcher your women and children: time is not to be lost. We must hasten to the frontier, or we shall find it drenched in the blood of our citizens. The health of your general is restored—he will command in person." In the mean time, until this force could be collected and organized, colonel Coffee, with the force then under his command, and such additional mounted riflemen as could be attached at a short notice, was directed to hasten forward to the neighbourhood of Huntsville, and occupy some eligible position for the defence of the frontier, until the infantry should arrive; when it was contemplated, by the nearest possible route to press on to Fort St. Stephen, with a view to the protection and defence of Mississippi.

Every exertion was made to hasten the preparations for a vigorous campaign. Orders were given to the quartermaster, to furnish the necessary munitions, with the proper transportation; and to the contractors, to provide ample supplies of provisions. The day of rendezvous being arrived, and the General not sufficiently recovered to attend in person, he forwarded by his aid-de-camp, Major Reid, an address, to be read to the troops, accompanied by an order for the establishment of the police of the camp. In this address, he pointed to the unprovoked injuries that had been so long inflicted by this horde of merciless and cruel savages; and entreated his soldiers to evince that zeal in the defence of their country, which the importance of the moment so much required. "We are about to fur-

nish these savages a lesson of admonition;—we are about to teach them, that our long forbearance has not proceeded from an insensibility to wrongs, or an inability to redress them. They stand in need of such warning. In proportion as we have borne with their insults, and submitted to their outrages, they have multiplied in number, and increased in atrocity. But the measure of their offences is at length filled. The blood of our women and children, recently spilled at Fort Mimmá, calls for our vengeance; it must not call in vain. Our borders must no longer be disturbed by the war whoop of these savages, or the cries of their suffering victims. The torch that has been lighted up must be made to blaze in the heart of their own country. It is time they should be made to feel the weight of a power which, because it was merciful, they believed to be impotent. But how shall a war, so long forborne, and so loudly called for by retributive justice, be waged? Shall we imitate the example of our enemies, in the disorder of their movements and the savageness of their dispositions? Is it worthy the character of American soldiers, who take up arms to redress the wrongs of an injured country, to assume no better model than that furnished them by barbarians? No, fellow soldiers; great as are the grievances that have called us from our homes, we must not permit disorderly passions to tarnish the reputation we shall carry along with us;—we must and will be victorious; but we must conquer as men who owe nothing to chance, and who, in the midst of victory, can still be mindful of what is due to humanity!

“We will commence the campaign by an inviolable attention to discipline and subordination. Without a strict observance of these, victory must ever be uncertain, and ought hardly to be exulted in even when gained. To what but the entire disregard of order and subordination, are we to ascribe the disasters which have attended our arms in the north, during the present war? How glorious will it be to remove the blots which have tarnished the fair character bequeathed us by the fathers of our revolution! The bosom of your general is full of hope. He knows the ardour which animates you, and already exults in the triumph which your strict observance of discipline and good order will render certain.”

For the police of his camp, he announced the following order.

"The chain of sentinels will be marked, and the sentries posted, precisely at ten o'clock to-day.

"No sutler will be suffered to sell spiritous liquors to any soldier, without permission, in writing, from a commissioned officer, under the penalties prescribed by the rules and articles of war.

"No citizen will be permitted to pass the chain of sentinels, after retreat beat in the evening, until reveille in the morning. Drunkenness, the bane of all orderly encampments, is positively forbidden, both in officers and privates: officers, under the penalty of immediate arrest; and privates, of being placed under guard, there to remain until liberated by a court martial.

"At reveille beat, all officers and soldiers are to appear on parade, with their arms and accoutrements in proper order.

"On parade, silence, the duty of a soldier, is positively commanded.

"No officer or soldier is to sleep out of camp, but by permission obtained."

These rules, to those who had scarcely yet passed the line that separates the citizen from the soldier, and who had not yet laid aside the notions of self-sovereignty, had the appearance of too much rigour; but the general well knew, that the expedition in which they were embarked involved much hazard; and that, although lively feelings were manifested now, yet when hardships pressed, these might cease. He considered it much safer to lay before them at once, the rules of conduct to which they must conform; believing that it would be more difficult to drive licentiousness from his camp, than to prevent its entrance.

Impatient to join his division, although his health was far from being restored; the general, in a few days afterwards, set out for the encampment, and reached it on the 7th. Finding, on his arrival, that the requisition was not complete, either in the number of men, or the necessary equipments, measures were instantly taken to remedy the deficiency. Orders were directed to the several brigadiers in his division, to hasten immediately their respective quotas, fully equipped for active operations.

Circumstances did not permit him to remain at this

place long enough to have the delinquencies complained of remedied, and the ranks of his army filled. Colonel Coffee had proceeded with his mounted volunteers to cover Huntsville, and give security to the frontiers, where alarm greatly prevailed. On the night of the 8th, a letter was received from him, dated two days before, advising, that two Indians, belonging to the peace party, had just arrived at the Tennessee river, with information that the war party had despatched eight hundred or a thousand of their warriors to attack the frontiers of Georgia; and, with the remainder of their forces, were marching against Huntsville, or Fort Hampton. In consequence of this intelligence, exertions were made to hasten a movement. Late on the following night, another express arrived, confirming the former statement, and representing the enemy, in great force, to be rapidly approaching the Tennessee. Orders were now given for preparing the line of march, and by nine o'clock the next day the whole division was in motion. They had not proceeded many miles, when they were met with intelligence that colonel Gibson, who had been sent out by Coffee to reconnoitre the movements of the enemy, had been killed. A strong desire had been manifested to be led forward; that desire was now strengthened by the information just received; and it was with difficulty their emotions could be restrained. They accelerated their pace, and before eight o'clock at night, arrived at Huntsville, a distance of thirty-two miles. Learning here, that the information was erroneous which had occasioned so hasty a movement, the General encamped his troops; having intended to march them that night to the Tennessee river had it been confirmed. The next day the line of march was resumed. The influence of the late excitement was now visible in the lassitude which followed its removal. Proceeding slowly, they crossed the Tennessee, and united in the evening with Colonel Coffee's regiment, which had previously occupied a commanding bluff, on the south bank of the river. From this place, in a few days afterwards, Jackson detached Colonel Coffee, with seven hundred men, to scour the Black Warrior, a stream running from the north-east, and emptying into the Tombigbee; on which were supposed to be several populous villages of the enemy. He himself remained at this encampment a week, using the utmost pains in training his troops for service, and labouring incessantly to procure

the necessary supplies for a campaign, which he had determined to carry directly into the heart of the enemy's country. Towards the latter object, his industry had been employed, and his attention invariably directed, from the time the expedition was projected.

With pressing importunity, he had addressed himself to the contractors, and they had given him assurances, that on his crossing the Tennessee, they would be prepared with twenty days' rations for his whole command; but finding, on his arrival at Ditto's, that their preparations were not in such forwardness as he had been led to expect, he was compelled for a time, to suspend any active and general operations. Calculating, however, with great confidence, on exertions, which, he had been promised, should be unremitting, he hoped, in a few days, to be placed in a situation to act efficiently. Whilst he was thus encouraged, and only waiting a fulfilment, that he might advance, Shelocta, the son of Chinnaby, a principal chief among the friendly Creeks, arrived at his camp, to solicit his speedy movement for the relief of his father's fort, which was then threatened by a considerable body of the war party, who had advanced to the neighbourhood of the Ten Islands, on the Coosa. Influenced by his representations, and anxious to extend relief, Jackson, on the 18th, gave orders for taking up the line of march on the following day, and notified the contractors of this arrangement, that they might be prepared to issue, immediately, such supplies as they had on hand: but, to his great astonishment, he was apprised of their entire inability to supply him whilst on his march. Having drawn what they had in their power to furnish, amounting to only a few days' rations, they were deposed from office, and others appointed, on whose industry and performance, he believed, he might more securely rely. The scarcity of provisions, however, at a moment like the present, when there was every appearance that the enemy might be met, and a blow stricken to advantage, was not sufficient to wave his determination, already taken. The route he would have to make, to gain the fort, lay, for a considerable distance, up the river: might not the boats, long expected from Hiwassee, and which he felt strongly assured must be near at hand, be met with on the way? He determined to proceed; and having passed his army and baggage wagons over several mountains of stupendous size, and such as were thought

the discomfiture of your enemy. Your general, whose duty, as well as inclination, is to watch over your safety, will not, to gratify any wishes of his own, rush you unnecessarily into danger. He knows, however, that it is not in assailing an enemy that men are destroyed; it is when retreating, and in confusion. Aware of this, he will be prompted as much by a regard for your lives as your honour. He laments that he has been compelled, even incidentally, to hint at a retreat when speaking to freemen, and to soldiers. Never, until you forget all that is due to yourselves and your country, will you have any practical understanding of that word. Shall an enemy, wholly unacquainted with military evolution, and who rely more for victory on their grim visages and hideous yells, than upon their bravery or their weapons—shall such an enemy ever drive before them the well-trained youths of our country, whose bosoms pant for glory, and a desire to avenge the wrongs they have received? Your General will not live to behold such a spectacle; rather would he rush into the thickest of the enemy, and submit himself to their scalping knives: but he has no fears of such a result. He knows the valour of the men he commands, and how certainly that valour, regulated as it will be, will lead to victory. With his soldiers he will face all dangers, and with them participate in the glory of conquest.”

Having thus prepared the minds of his men, and brought to their view the kind of foe with whom they were shortly to contend; with about six days' rations of meat, and less than two of meal, he again put his army in motion to meet the enemy. Although there was some hazard in advancing into a country where relief was not to be expected, with such limited preparation, yet, believing that his contractors, lately installed, would exert themselves to the utmost to forward supplies, and that amidst the variety of arrangements made, all could not fail, and well aware that his delaying longer might be productive of many disadvantages, his determination was taken to set out immediately in quest of the enemy. He replied to the Path-killer, by his runners, that he should proceed directly for the Coosa, and solicited him to be diligent in making discoveries of the situation and collected forces of the savages, and to give him, as early as possible, the result of his inquiries.

“The hostile Creeks,” he remarked to him, “will not

attack you until they have had a brush with me; and that, I think, will put them out of the notion of fighting for some time."

He requested, if he had, or could any how procure, provisions for his army, that he would send them, or advise where they might be had: "You shall be well paid, and have my thanks into the bargain. I shall stand most in need of corn meal, but shall be thankful for any kind of provisions; and indeed for whatever will support life."

In a letter to governor Blount, speaking of the difficulties with which he was assailed, he observes:—"Indeed, sir, we have been very wretchedly supplied—scarcely two rations in succession have been regularly drawn; yet we are not despondent. Whilst we can procure an ear of corn apiece, or any thing that will answer as a substitute for it, we shall continue our exertions to accomplish the object for which we were sent. The cheerfulness with which my men submit to privations, and are ready to encounter danger, does honour to them, and to the government whose rights they are defending.

"Every mean within my power, for procuring the requisite supplies for my army, I have taken, and am continuing to take. East, west, north, and south, have been applied to with the most pressing solicitation. The governor of Georgia, in a letter received from him this evening, informs me that a sufficiency can be had in his state; but does not signify that he is about to take any measures to procure it. My former contractor has been superseded: no exertions were spared by him to fulfil his engagements; yet the inconveniences under which he laboured were such as to render his best exertions unavailing. The contract has been offered to one who will be able to execute it: if he accepts it, my apprehensions will be greatly diminished."

The sanguine expectations indulged, on leaving Thompson's creek, that the advance of the East Tennessee militia would hasten to unite with him, was not yet realized. The express heretofore directed to general White, had not returned. Jackson, on the 31st, despatched another, again urging him to effect a speedy junction, and to bring with him all the bread stuff it should be in his power to procure; feelingly suggesting to him, at the same time, the great inconvenience and hazard to which he had been already exposed, for the want of punctuality in himself a

his commanding general. Owing to that cause, and the late failures of his contractors, he represented his army as placed, at present, in a very precarious situation, and dependent, in a great measure, for support, on the exertions which they might be pleased to make; but assured him, at the same time, that, let circumstances transpire as they might, he would still, at every risk, endeavour to effect his purpose; and, at all events, was resolved to hasten, with every practicable despatch, to the accomplishment of the object for which he had set out. Believing the co-operation of the East Tennessee troops essential to this end, they were again instructed to join him without delay; for he could not conceive it to be correct policy, that troops from the same state, pursuing the same object, should constitute separate and distinct armies, and act without concert, and independently of each other.

The next evening, a detachment which had been sent out the day before, returned to camp, bringing with them, besides some corn and beeves, several prisoners of the war party.

Learning now that a considerable body of the enemy had posted themselves at Tallushatchee, on the south side of the Coosa, about thirteen miles distant, General Coffee was detached with nine hundred men, (the mounted troops having been previously organized into a brigade, and placed under his command,) to attack and disperse them. With this force he was enabled, through the direction of an Indian pilot, to ford the Coosa about four miles above the Islands; and having encamped beyond it, very early the next morning proceeded to the execution of his order. Having arrived within a mile and a half, he formed his attachment into two divisions, and directed them to march so as to encircle the town, by uniting their fronts beyond it. The enemy, hearing of his approach, began to prepare for action, which was announced by the beating of drums, mingled with their savage yells and war whoops. An hour after sun-rise, the action was commenced by captain Hamilton's and lieutenant Patterson's companies of spies, who had gone within the circle of alignment, for the purpose of drawing the Indians from their buildings. No sooner had these companies exhibited their front in view of the town, than the enemy formed, and made a violent charge. Being compelled to give way, the advance guards were pursued until they reached the main body of



the army, which immediately opened a general fire, and charged in turn. The Indians retreated, firing, until they got around and in their buildings, where an obstinate conflict ensued, and where those who maintained their ground, persisted in fighting, as long as they could stand or sit, without manifesting fear, or soliciting quarter. Their loss was an hundred and eighty-six killed; among whom were, unfortunately, and through accident, a few women and children. Eighty-four women and children were taken prisoners, towards whom the utmost humanity was shown. Of the Americans, five were killed, and forty-one wounded. Two were killed with arrows, which, on this occasion, formed a principal part of the arms of the Indians; each one having a bow and quiver, which he used after the first fire of his gun, until an opportunity occurred for re-loading.

Having buried his dead, and provided for his wounded, General Coffee, late on the evening of the same day, united with the main army, bringing with him about forty prisoners. Of the residue, a part were too badly wounded to be removed, and were therefore left, with a sufficient number to take care of them. Those which he brought in, received every comfort and assistance their situation demanded, and, for safety, were immediately sent into the settlements.

From the manner in which the enemy fought, the killing and wounding others than their warriors was not to be avoided. On their retreat to their village, after the commencement of the battle, they resorted to their block houses, and strong log dwellings, whence they kept up resistance, and resolutely maintained the fight. Thus mingled with their women and children, it was impossible they should not be exposed to the general danger; and thus many were injured, notwithstanding every possible precaution was taken to prevent it. In fact many of the women united with their warriors, and contended in the battle with fearless bravery.

## CHAPTER III

General Jackson endeavours to unite with the East Tennessee troops.—Establishment of Fort Strother.—Learns the enemy are embodied.—Marches to meet them.—Battle of Talladega.—Is compelled to return to his encampment for want of supplies.—Anecdote.—Discontents of his army.—Militia and volunteers mutiny.—Address to the officers.—Is compelled to abandon Fort Strother.—Letter from the Rev. Mr. Blackburn.—Answer.—The volunteers claim to be discharged.—Mutiny.—Address to them.—General Coffee's brigade petitions for a discharge.—General Jackson's answer.—They abandon the service.

MEASURES were taken to establish a permanent depot on the north bank of the river, at the Ten Islands, to be protected by strong picketing and block houses; after which, it was the intention of Jackson to proceed along the Coosa to its junction with the Tallapoosa, near which it was expected the main force of the enemy was collected. Knowing that it would detach much of the strength of his army, to occupy, in advance, the different points necessary to the safety of his rear, it was desirable to unite, as soon as possible, with the troops from East Tennessee: to effect this, he again, on the 4th, despatched an express to General White, who had previously, with his command, arrived at Turkey town, a Cherokee village, about twenty-five miles above, on the same river, urging him to unite with him as soon as possible, and again entreating him on the subject of provisions;—to bring with him such as he had on hand, or could procure; and, if possible, to form some certain arrangement that might ensure a supply in future.

As yet no certain intelligence was received of any collection of the enemy. The army was busily engaged in fortifying and strengthening the site fixed on for a depot, to which the name of Fort Strother had been given. Late, on the evening of the 7th, a runner arrived from Talladega, a fort of the friendly Indians, distant about thirty miles below, with information, that the enemy had that morning encamped before it in great numbers, and would certainly destroy it, unless immediate assistance could be afforded. Jackson, confiding in the statement, determined to lose no time in extending the relief which was solicited. Understanding that General White, agreeably to his order, was on his way to join him, he despatched a messenger to meet

him, directing him to reach his encampment in the course of the ensuing night, and to protect it in his absence. He now gave orders for taking up the line of march, with twelve hundred infantry, and eight hundred cavalry and mounted gun men; leaving behind, the sick, the wounded, and all his baggage, with a force which was deemed sufficient for their protection, until the reinforcement of General White should arrive.

The friendly Indians, who had taken refuge in this besieged fort, had involved themselves in their present perilous situation, from a disposition to preserve their amicable relations with the United States. To suffer them to fall a sacrifice, from any tardiness of movement, would have been unpardonable; and unless relief were immediately extended, it might arrive too late. Acting under these impressions, the General concluded to move instantly forward to their assistance. By twelve o'clock at night, every thing was in readiness; and, in an hour afterwards, the army commenced crossing the river, about a mile above the camp—each of the mounted men carrying one of the infantry behind him. The river, at this place, was six hundred yards wide, and it being necessary to send back the horses for the remainder of the infantry, several hours were consumed before a passage of all the troops could be effected. Nevertheless, though greatly fatigued and deprived of sleep, they continued the march with animation, and by evening had arrived within six miles of the enemy. In this march, Jackson used the utmost precaution to prevent surprise; marching his army, as was his constant custom, in three columns, so that, by a speedy manœuvre, they might be thrown into such a situation as to be capable of resisting an attack from any quarter. Having judiciously encamped his men on an eligible piece of ground, he sent forward two of the friendly Indians, and a white man, who had, for many years, been detained a captive in the nation, and was now acting as interpreter, to reconnoître the position of the enemy. About eleven o'clock at night they returned with information that the savages were posted within a quarter of a mile of the fort, and appeared to be in great force; but that they had not been able to approach near enough to ascertain either their numbers or precise situation. Within an hour after this, a runner arrived with a letter from General White, stating that after having taken up the line of march, to unite

Fort Strother, he had received orders from General Cocke to change his course and proceed to the mouth of Chatauga creek. It was most distressing intelligence: the sick and wounded had been left with no other calculation for their safety and defence than that this detachment of the army, agreeably to his request, would, by advancing upon Fort Strother, serve the double purpose of protecting his rear and enable him to advance still further into the enemy's country. The information which was now received, proved that all those salutary anticipations were at an end, and that evils of the worst kind might be the consequence.

Intelligence so disagreeable, and withal so unexpected, filled the mind of Jackson with apprehension of a serious and alarming character; and dreading lest the enemy, by taking a different route, should attack his encampment in his absence, he determined to lose no time in bringing him to battle. Orders were accordingly given to the adjutant-general to prepare the line, and by four o'clock in the morning, the army was again in motion. The infantry proceeded in three columns; the cavalry in the same order, in the rear, with flankers on each wing. The advance, consisting of a company of artillerists, with muskets, two companies of riflemen, and one of spies, marched about four hundred yards in front, under the command of Colonel Carroll, with orders, after commencing the action, to fall back on the centre, so as to draw the enemy after them. At seven o'clock, having arrived within a mile of the position they occupied, the columns were displayed in order of battle. Two hundred and fifty of the cavalry, under lieutenant-colonel Dyer, were placed in the rear of the centre, as a corps de reserve. The remainder of the mounted troops were directed to advance on the right and left, and, after encircling the enemy, by uniting the fronts of their columns, and keeping their rear rested on the infantry, to face and press towards the centre, so as to leave them no possibility of escape. The remaining part of the army was ordered to move up by heads of companies; General Hall's brigade occupying the right, and General Roberts's the left.

About eight o'clock, the advance having arrived within eighty yards of the enemy, who were concealed in a thick shrubbery, that covered the margin of a small rivulet, received a heavy fire, which they instantly returned with much spirit. Agreeably to their instructions, they retired

towards the centre, but not before they had dislodged them from their position. The Indians, now screaming and yelling hideously, rushed forward in the direction of General Roberts's brigade, a few companies of which, alarmed by their numbers and yells, gave way at the first fire. Jackson, to fill the chasm which was thus created, directed the regiment commanded by Colonel Bradley, to be moved up, which, from some unaccountable cause, had failed to advance in a line with the others, and now occupied a position in rear of the centre. Owing to this failure in the volunteer regiment, it became necessary to dismount the reserve, which, with great firmness, met the approach of the enemy, who were rapidly moving in this direction. The retreating militia, somewhat mortified at seeing their places so promptly supplied, rallied, and recovering their former position in the line, aided in checking the advance of the savages. The action now became general along the line, and in fifteen minutes the Indians were seen fleeing in every direction. On the left, they were met and repulsed by the mounted riflemen; but on the right, owing to the halt of Bradley's regiment, which was intended to occupy the extreme right,—and to the circumstance of Colonel Allcorn, who commanded one of the wings of the cavalry, having taken too large a circuit, a considerable space was left between the infantry and the cavalry, through which numbers escaped. The fight was maintained with great spirit and effect on both sides, as well before as after the retreat commenced; nor did the pursuit and slaughter terminate until the mountains were reached, at the distance of three miles.

Jackson, in his report of this action, bestows high commendation on the officers and soldiers. "Too much praise," he observes, in the close of it, "cannot be bestowed on the advance, led by Colonel Carroll, for the spirited manner in which they commenced and sustained the attack; nor upon the reserve, commanded by Lieutenant-colonel Dyer, for the gallantry with which they met and repulsed the enemy. In a word, officers of every grade, as well as privates, realized the high expectations I had formed of them, and merit the gratitude of their country."

In this battle, the force of the enemy was one thousand and eighty, of whom two hundred and ninety-nine were left dead on the ground; and it is believed that many were killed in the flight, who were not found when the estimate

was made. Probably few escaped unhurt. Their loss on this occasion, as stated since by themselves, was not less than six hundred: that of the Americans was fifteen killed, and eighty wounded, several of whom afterwards died. Jackson, after collecting his dead and wounded, advanced his army beyond the fort, and encamped for the night. The Indians, who had been for several days shut up by the besiegers, thus fortunately liberated from the most dreadful apprehensions, and severest privations, having for some time been entirely without water, received the army with all the demonstrations of gratitude that savages could give. Their manifestations of joy for their deliverance, presented an interesting and affecting spectacle. Their fears had been already greatly excited, for it was the very day when they were to have been assaulted, and when every soul within the fort must have perished. All the provisions they could spare, from their scanty stock, they sold to the General, who, purchasing with his own money, distributed them amongst the soldiers, who were almost destitute.

It was with great regret that Jackson now found he was without the means of availing himself fully of the advantages of his victory; but the condition of his posts in the rear, and the want of provisions, (having left his encampment at Fort Strother with little more than one day's rations,) compelled him to return; thus giving the enemy time to recover from the consternation of their first defeat, and to re-assemble their forces.

The cause which prevented general White from reaching the Ten Islands at a moment when it was so important, and so confidently expected, was as yet unknown; the only certainty upon the subject was, that for the present it wholly thwarted his views, and laid him under the necessity of returning. This mystery, hitherto inexplicable, was some time after explained, by a view of the order of General Cocke, under which White, being a brigadier in his division, chose to act, rather than under Jackson's. General Cocke stated to him, he had understood Jackson had crossed the Coosa, and had an engagement with the Indians. "I have formed a council of officers here, and proposed these questions:—shall we follow him, or cross the river and proceed to the Creek settlements on the Tallapoosa?—Both were decided unanimously, that he should not be followed, but that we should proceed in the way

proposed." He remarked, that the decision had met his entire approbation; and directed White forthwith to unite with him at his encampment. "If," said he, "we follow general Jackson and his army, we must suffer for supplies; nor can we expect to gain a victory. Let us then take a direction in which we can share some of the dangers and glories of the field. You will employ pilots, and advise me which side of the river you will move." In this, as every other measure, it seemed to be the studied aim of Cocke, to thwart the views and arrest the successes of Jackson. Both were major-generals, sent on the same important errand, to check an insolent foe, who had practised the most cruel and unprovoked outrages. Which of them should share the "dangers and glories of the field," or obtain its laurels, was not so important to the country, as by acting in concert and harmony they should endeavour to accomplish the grand object of terminating the war, and restoring tranquillity to the frontier. National, not individual advancement, was the object in carrying an army into the field: and the best and most effectual mean of securing this, every officer, acting on liberal principles, should have constantly held in view: the interest and repose of the country, not individual advancement, was the end to be attained.

Having buried his dead with due honour, and provided shelters for the wounded, he reluctantly commenced his return march on the morning succeeding the battle. He confidently hoped, from the previous assurances of the contractors, that by the time of his return to Fort Strother, sufficient supplies would have arrived there; but, to his inexpressible uneasiness, he found that not a particle had been forwarded since his departure, and that what had been left was already consumed. Even his private stores, brought on at his own expense, and upon which he and his staff had hitherto wholly subsisted, had been, in his absence, distributed amongst the sick by the hospital surgeon, who had been previously instructed to do so, in the event their wants should require it. A few dozen biscuit, which remained on his return, were given to hungry applicants, without being tasted by himself or family, who were probably not less hungry than those who were thus relieved. A scanty supply of indifferent beef taken from the enemy, or purchased of the Cherokees, was now the only support afforded. Thus left destitute, Jackson, with

the utmost cheerfulness of temper, repaired to the bullock pen, and of the offal there thrown away, provided for himself and staff, what he was pleased to call, and seemed really to think, a very comfortable repast. Neither this, nor the liberal donations by which he disfurnished himself, to relieve the suffering soldier, deserves to be ascribed to ostentation or design: the one flowed from benevolence, the other from necessity, and a desire to place before his men an example of patience and suffering, which he felt might be necessary, and hoped might be serviceable. Of these two imputations, no human being, invested with rank and power, was ever more deservedly free. Charity in him is a warm and active propensity of the heart, urging by an instantaneous impulse, to relieve the wants of the distressed, without regarding, or even thinking of the consequences. Many of those to whom it was extended, had no conception of the source that supplied them, and believed the comforts they received were, indeed, drawn from stores provided for the hospital department.

On this campaign, a soldier, one morning, with woe-begone countenance, approached the General, stating that he was nearly starved, that he had nothing to eat, and could not imagine what he should do. He was the more encouraged to complain, from perceiving that the General, who had seated himself at the root of a tree, waiting the coming up of the rear of the army, was busily engaged in eating something, he knew not what. The poor fellow was impressed with the belief, from what he saw, that want only attached to the soldiers, and that the officers, particularly the General, were liberally and well supplied. He accordingly approached him with great confidence of being relieved; Jackson told him, that it had always been a rule with him never to turn away a hungry man, when it was in his power to relieve him. I will most cheerfully, said he, divide with you what I have, and putting his hand to his pocket, drew forth a few acorns, on which he had been feasting, adding, it was the best and only fare he had. The soldier seemed much surprised; and forthwith circulated amongst his comrades, that their General was actually subsisting upon acorns, and that they ought, hence, no more to complain. From this circumstance was derived the story, heretofore published, that Jackson, about the period of his greatest suffering, and with a view to inspirit them, had



invited his officers to dine with him, and presented for their repast, water and a tray of acorns.

But while General Jackson remained wholly unmoved by his own privations, he was filled with solicitude and concern for his army. His utmost exertions, unceasingly applied, were insufficient to remove the sufferings to which he saw them exposed, and although they were by no means so great as was represented, yet were they undoubtedly such as to be sensibly and severely felt. Discontents, and a desire to return home, arose, and presently spread through the camp.

During this period of scarcity and discontent, small quantities of supplies were occasionally forwarded by the contractors, but not a sufficiency for present want, and still less to remove the apprehensions that were entertained for the future. At length, revolt began to show itself openly. The officers and soldiers of the militia, collecting in their tents, and talking over their grievances, determined to yield their patriotism, and to abandon the camp. To this measure, there were good evidences for believing that several of the officers of the old volunteer corps exerted themselves clandestinely to instigate them; looking upon themselves somewhat in the light of veterans, from the discipline they had acquired in the expedition to the lower country, they were unwilling to be seen foremost in setting an example of insubordination, and wished to make the defection of others a pretext for their own.

Jackson, apprized of their determination to abandon him, resolved to oppose it, and at all hazard, to prevent a departure. In the morning, when they were to carry their intentions into execution, he drew up the volunteers in front of them, with positive commands to prevent their progress, and compel them to return to their former position in the camp. The militia seeing this, and fearing the consequences of persisting in their purpose, at once abandoned it, and returned to their quarters without further murmuring, extolling in the highest terms, the unalterable firmness of the General.

The next day, however, presented a singular scene. The volunteers, who, the day before, had been the instruments for compelling the militia to return to their duty, seeing the destruction of those hopes on which they had lately calculated, in turn began, themselves to mutiny. Their opposition to the departure of the militia was but a mere

pretence to escape suspicion, for they silently wished them success. They now determined to move off in a body, believing from the known disaffection in the camp, that the General could find no means to prevent it. What was their surprise, however, when, on attempting to execute their resolves, they found the same men whom they had so lately opposed, occupying the very position which they had done the day previous, for a similar purpose, and manifesting a fixed determination to obey the orders of their general! All they ventured to do, was to take the example through, and like them move back in peace and quietness to their quarters. This was a curious change of circumstances, when we consider in how short a time it happened; but the conduct of the militia, on this occasion, must be ascribed to the ingenuity and management of the General, and to the gratification they felt, in being able to defeat the views of those who had so lately thwarted their own. To this may be also added, the consciousness all must have entertained, that the privations of which they complained were far less grievous than they had represented them; by no means sufficient to justify revolt, and not greater than patriots might be expected to bear without a murmur, when objects of such high consideration were before them. But anxious to return to their families and kindred,—wearied of their difficulties and sufferings, and desirous to recount the brilliant exploits of their first battle, they seized with eagerness every pretext for exoneration, and listened with too great docility to the representations of those, who were influenced by less honourable feelings. Having many domestic considerations to attend to—the first ebullition of resentment being cooled, and the first impulse of curiosity gratified, there were no motives to retain them in the field, but a remaining sense of honour, and the fear of disgrace, should they abandon their post without a cause. But although these motives were sufficient for the present, those who were governed by them did not cease to wish, that a more plausible apology might offer for dispensing with their operation. The militia continued to show a much more obedient and patriotic disposition than the volunteers; who, having adopted a course which they discovered must finally involve them in dishonour, if it should fail, were exceedingly anxious for its success, and that it might have the appearance of being founded on justice. On this

subject, the pretensions of the cavalry were much better established; as they were entirely without forage, and without the prospect of speedily obtaining any. They petitioned therefore to be permitted to return into the settled parts of the country, pledging themselves, by their platoon and field officers, that if sufficient time were allowed to recruit the exhausted state of their horses, and to procure their winter clothing, they would return to the performance of their duty whenever called on. The General, unable, from many causes, to prosecute the campaign, and confiding in the assurance given, granted the prayer of their petition, and they immediately set out on their return.

About this time General Jackson's prospect of being able to maintain the conquests he had made, began to be cheered by letters received from the contractors, stating, that sufficient supplies for the army were then on the way, and would shortly arrive: but discontents to an alarming degree, still prevailed in his camp. To allay them, if possible, he hastened to lay before the division the information and letters he had received; and, at the same time, invited the field and platoon officers to his quarters, to consult on the measures proper to be pursued. Having assembled them, and well knowing that the flame of discontent, which had so lately shown itself, was only for the present smothered, and might yet burst forth in serious injury, he addressed them in an animated speech, in which he extolled their patriotism and achievements; lamented the privations to which they had been exposed, and endeavoured to reanimate them by the prospect of speedy relief, which he expected with confidence on the following day. He spoke of the immense importance of the conquests they had already made, and of the consequences that must result should they be now abandoned. "What," continued he, "is the present situation of our camp? a number of our fellow soldiers are wounded, and unable to help themselves. Shall it be said that we are so lost to humanity as to leave them in this condition? Can any one, under these circumstances, and under these prospects, consent to an abandonment of the camp; of all that we have acquired in the midst of so many difficulties, privations, and dangers; of what it will cost us so much to regain; of what we never can regain,—our brave wounded companions, who will be murdered by our unthinking, un-

feeling inhumanity? Surely there can be none such! No, we will take with us, when we go, our wounded and sick. They must not—shall not perish by our cold-blooded indifference. But why should you despond? I do not, and yet your wants are not greater than mine. To be sure we do not live sumptuously: but no one has died of hunger, or is likely to die; and then how animating are our prospects! Large supplies are at Deposit, and already are officers despatched to hasten them on. Wagons are on the way: a large number of beeves are in the neighbourhood; and detachments are out to bring them in. All these resources surely cannot fail. I have no wish to starve you—none to deceive you. Stay contentedly; and if supplies do not arrive in two days, we will all march back together, and throw the blame of our failure where it should properly lie; until then we certainly have the means of subsisting; and if we are compelled to bear privations, let us remember that they are borne for our country, and are not greater than many—perhaps most armies have been compelled to endure. I have called you together to tell you my feelings and my wishes; this evening think on them seriously; and let me know yours in the morning.”

Having retired to their tents, and deliberated on the measures most proper to be adopted in this emergency, the officers of the volunteer brigade came to the conclusion, that “nothing short of marching the army immediately back to the settlements could prevent those difficulties and that disgrace, which would attend a forcible desertion of the camp by his soldiers.” The officers of the militia determined differently, and reported a willingness to maintain the post a few days longer, that it might be ascertained whether or not a sufficiency of provisions could really be had. “If it can, let us proceed with the campaign—if not, let us be marched back to where it can be procured.” The General, who greatly preferred the latter opinion, nevertheless, to allay excitement, was disposed to gratify those who appeared unwilling to submit to further hardships; and with this view ordered General Hall to march his brigade of volunteers to Fort Deposit, and after satisfying their wants, to return, and act as an escort to the provisions. The second regiment consented to remain; and the first proceeded alone. On this occasion he could not forbear to remark, that men for whom he had ever cherished so warm an affection, and for whom

he would at all times have made any sacrifice, desiring to abandon him at a moment when their presence was so particularly necessary, filled him with emotions which the strongest language was too feeble to express. "I was prepared," he continued, "to endure every evil but disgrace; and this, as I never can submit to myself, I can give no encouragement to in others."

Two days had elapsed since the departure of the twelve months' volunteers, and supplies had not arrived. The militia, with great earnestness, now demanded a performance of the pledge that had been given—that they should be marched back to the settlements. Jackson, on giving them an assurance that they should return, if relief did not reach them in two days, had indulged a confidence that it would certainly arrive by that time; and now, from the information he had received, felt more than ever certain that it could not be far distant. Having, however, pledged himself, he could use no arguments or entreaties to detain them any longer, and immediately took measures for complying with their wishes, and the promise he had made. This was, to him, a moment of the deepest dejection. He foresaw how difficult it would be, ever to accomplish the object upon which his mind was so devoutly fixed, should he lose the men who were now with him; or even to regain the conquests he had made, if his present posts should fall into the hands of the enemy. While thus pondering on the gloomy prospect, he lifted up his hands and exclaimed, with a look and manner which showed how much he felt—"If only two men will remain with me, I will never abandon this post." Captain Gordon, of the spies, facetiously replied, "you have one; General, let us look if we can't find another," and immediately, with a zeal suited to the occasion, undertook, with some of the general staff, to raise volunteers; and in a little while succeeded in procuring one hundred and nine, who declared a determination to remain and protect the post.

The General greatly rejoiced that he would not be compelled to an entire abandonment of his position, now set out towards Deposit, with the remainder of the army, who were given distinctly to understand, that on meeting supplies they were to return and prosecute the campaign. This was an event, which, as it had been expected, soon took place: they had not proceeded more than ten or

twelve miles, when they met a hundred and fifty ~~beaves~~; but a sight which gave to Jackson so much satisfaction, was to them the most disagreeable and unwelcome. Their faces being turned towards home, no spectacle could be more hateful than one which was to change their destination. They were halted, and having satisfied their hungry appetites, the troops, with the exception of such as were necessary to proceed with the sick and wounded, were ordered to return to the encampment—he himself intending to see the contractors, and establish more effectual arrangements for the future. So great was their aversion to returning, that they preferred a violation of their duty and their pledged honour. Low murmurings ran along the lines, and presently broke out into open mutiny. In spite of the order they had received, they began to revolt, and one company was already moving off, in a direction towards home. They had proceeded some distance, before information of their departure was had by Jackson. Irritated at their conduct, in attempting to violate the promise they had given, and knowing that the success of future operations depended on the result, the general pursued until he came near a part of his staff, and a few soldiers, who, with General Coffee, had halted about a quarter of a mile ahead. He ordered them to form immediately across the road, and to fire on the mutineers if they attempted to proceed. Snatching up their arms, these faithful adherents presented a front which threw the deserters into affright, and caused them to retreat precipitately to the main body. Here, it was hoped, the matter would end, and that no further opposition would be made to returning. This expectation was not realized; a mutinous temper began presently to display itself throughout the whole brigade. Jackson, in the hope of reconciling all discontent, had gone out alone amongst the troops, who were at some distance; on his arrival, he found a much more extensive mutiny than that which had just been quelled. Almost the whole brigade had put itself into an attitude for moving forcibly off. A crisis had arrived; and feeling its importance, he determined to take no middle ground, but to triumph or perish. He was still without the use of his left arm; but, seizing a musket, and resting it on the neck of his horse, he threw himself in front of the column, and threatened to fire on the first man who should attempt to advance. For many minutes the column

preserved a sullen, yet hesitating attitude, fearing to proceed in their purpose, and disliking to abandon it. In the mean time, those who remained faithful to their duty, amounting to about two companies, were collected and formed at a short distance in advance of the troops, and in rear of the General, with positive directions to imitate his example in firing, if they attempted to proceed. At length, finding no one bold enough to advance, and overtaken by those fears which in the hour of peril always beset persons engaged in what they know to be a bad cause, they abandoned their purpose, and turning quietly round, agreed to return to their posts. It is very certain, that, but for the firmness of the General, at this critical moment, the campaign would have been broken up, and most probably not commenced again.

Good order and quiet being restored, General Jackson proceeded to Fort Deposit, with a view to concert some arrangement with the contractors, by which supplies, in future, might be regular and certain. The volunteers, who had returned, here began to manifest the same unwillingness to return to their duty that the militia had done, and were about to break out into the same spirit of mutiny and revolt; but were restrained by an animated address of the General, who, having assembled them together, painted, in the most glowing colours, all the consequences that were to be apprehended, if, from any fault of theirs, the campaign should be abandoned, or ineffectually prosecuted. By this mean, he succeeded once more in restoring quietness to his troops.

He now set out on his way to Fort Strother, and was delighted to find, by the progress of the works, the industry that had been used in his absence. But the satisfaction he felt, and the hopes he began to cherish, were of short continuance. Although he had succeeded in stilling the tumult of the volunteers, and in prevailing on them to return to their posts, it was soon discovered he had not eradicated their deep-rooted aversion to a further prosecution of the war. Nothing is more difficult than to re-animate men who have once lost their spirits, or inspire with new ardour those in whom it has lately become extinct. Even where the evils, which produced the change, are removed, apologies will be sought, and pretexts seized, for justifying and preserving the present tone of mind. The volunteers who had so lately clamoured about bread, now, when

they were no longer hungry, began to clamour, with equal earnestness, about their term of service. Having made an effort to forsake the drudgery of the field, and failed, they were disposed to avail themselves of any pretexts, seemingly plausible, to obtain success. They insisted that the period, for which they had volunteered to act, would end on the 10th of December, that being the termination of a year from the day they had first entered into service; and although they had been a greater part of the time disengaged, and unemployed, that recess was nevertheless to be taken into the computation. Jackson replied, that the law of congress, under which they had been tendered and accepted, requiring one year's service out of two, could contemplate nothing less than an actual service of three hundred and sixty-five days; and, until that were performed, he could not, unless specially authorized, undertake to discharge them. But as this was a question not likely to be settled by argument, and as the consequences were easily to be foreseen, if they should persist in their demands; the General began to think of providing other means for a continuance of the campaign; that, in the worst extreme, he might not be unprepared to act. Ordering General Roberts to return, and to supply the deficiencies in his brigade, he now despatched Colonel Carroll and Major Searcy, into Tennessee, to raise volunteers, for six months, or during the campaign; writing, at the same time, to many respectable characters, he exhorted them to contribute all their assistance to the accomplishment of this object. To a letter, just received from the Reverend Gideon Blackburn, assuring him that volunteers would eagerly hasten to his relief, if they knew their services were wanted, he replied, "Reverend Sir,—Your letter has been just received: I thank you for it; I thank you most sincerely. It arrived at a moment when my spirits needed such a support. I left Tennessee with an army, brave, I believe, as any general ever commanded. I have seen them in battle, and my opinion of their bravery is not changed. But their fortitude—on this too I relied—has been too severely tested. Perhaps I was wrong, in believing that nothing but death could conquer the spirits of brave men. I am sure I was; for my men, I know, are brave; yet privations have rendered them discontented:—that is enough. The expedition must nevertheless be prosecuted to a successful termination. New volunteers must be raised, to conclude



what has been so auspiciously begun by the old ones. Gladly would I save these men from themselves, and insure them a harvest which they have sown; but if they will abandon it to others, it must be so.

"You are good enough to say, if I need your assistance, it will be cheerfully afforded: I do need it greatly. The influence you possess over the minds of men is great and well-founded, and can never be better applied than in summoning volunteers to the defence of their country, their liberty, and their religion. While we fight the savage, who makes war only because he delights in blood, and who has gotten his booty, when he has scalped his victim, we are, through him, contending against an enemy of more inveterate character, and deeper design—who would demolish a fabric cemented by the blood of our fathers, and endeared to us by all the happiness we enjoy. So far as my exertions can contribute, the purposes, both of the savage and his instigator, shall be defeated; and so far as yours can, I hope—I know, they will be employed. I have said enough.—I want men, and want them immediately."

Anxious to prosecute the campaign as soon as possible, that by employing his troops actively, he might dispel from their minds those discontents so frequently manifested, he wrote to General Cocke, desiring and urging him to unite with him immediately, with fifteen hundred men. He assured him that the mounted men, who had returned to the settlements for subsistence, and to recruit their horses, would arrive by the 12th of the month. He wished to commence his operations directly, "knowing they would be prepared for it, and well knowing they would require it." "I am astonished," he continued, "to hear that your supplies continue deficient. In the name of God, what are the contractors doing, and about what are they engaged? Every letter I receive from Governor Blount, assures me I am to receive plentiful supplies from them, and seems to take for granted, notwithstanding all I have said to the contrary, that they have been hitherto regularly furnished. Considering the generous loan the state has made for this purpose, and the facility of procuring bread stuffs in East Tennessee, and of transporting them by water to Fort Deposit, it is to me wholly unaccountable that not a pound has ever arrived at that place. This evil must continue no longer—must be remedied. I expect, therefore, and through you must require, that

in twenty days they furnish at Deposit every necessary supply.”\*

Whilst these measures were taking, the volunteers, through several of their officers, were pressing on the consideration of the General, the expiration of their term of service, and claiming to be discharged on the 10th of the month. From the colonel who commanded the second regiment, he received a letter, dated the 4th, in which was attempted to be detailed their whole ground of complaint. He began by stating, that painful as it was, he, nevertheless, felt himself bound to disclose an important and unpleasant truth; that, on the 10th, the service would be deprived of the regiment he commanded. He seemed to deplore, with great sensibility, the scene that would be exhibited on that day, should opposition be made to their departure; and still more sensibly, the consequences that would result from a disorderly abandonment of the camp. He stated they had all considered themselves finally discharged on the 20th of April, and never knew to the contrary, until they saw his order of the 24th of September, requiring them to rendezvous at Fayetteville, on the 4th of October; for the first time, they then learned that they owed further services, their discharge to the contrary notwithstanding. “Thus situated, there was considerable opposition to the order; on which the officers generally, as I am advised, and I know myself in particular, gave it as an unequivocal opinion, that their term of service would terminate on the 10th of December.

“They therefore look to their general, who holds their confidence, for an honourable discharge on that day; and that, in every respect, he will see justice done to them. They regret that their peculiar situations and circumstances require them to leave their general at a time when their services are important to the common cause.

\* Independent of an advantageous contract made with the government, the state of Tennessee had extended to this contractor a liberal loan, that immediate supplies might be forwarded. Unfortunately, however, and it is a misfortune that will always continue so long as the present mode of supplying our armies is persisted in, the contract was disregarded; nor did complaints on the subject cease, even to the close of the war. Great as was the evil, no adequate remedy was at hand: nor was it confined to any particular section; but in all directions, where our armies moved, were complaints heard, and their operations frustrated through the misconduct of contractors.

"It would be desirable," he continued, "that those men who have served with honour, should be honourably discharged, and that they should return to their families and friends, without even the semblance of disgrace; with their general they leave it, to place them in that situation. They have received him as an affectionate father, whilst they have honoured, revered, and obeyed him; but, having devoted a considerable portion of time to the service of their country, by which their domestic concerns are greatly deranged, they wish to return and attend to their own affairs."

Although this communication announced the determination of only a part of the volunteer brigade, he had already abundant evidence that the defection was but too general. The difficulties which the General had heretofore been compelled to encounter from the discontents of his troops, might well induce him to regret that a spirit of insubordination should again threaten to appear in his camp. That he might, if possible, prevent it, he hastened to lay before them the error and impropriety of their views, and the consequences likely to be involved, should they persist in their purpose.

"I know not," he observed, "what scenes will be exhibited on the 10th instant, nor what consequences are to flow from them here or elsewhere; but as I shall have the consciousness that they are not imputable to any misconduct of mine, I trust I shall have the firmness not to shrink from a discharge of my duty.

"It will be well, however, for those who intend to become actors in those scenes, and who are about to hazard so much on the correctness of their opinions, to examine beforehand, with great caution and deliberation, the grounds on which their pretensions rest. Are they founded on any false assurances of mine, or upon any deception that has been practised towards them? Was not the act of congress, under which they are engaged, directed, by my general order, to be read and expounded to them before they enrolled themselves? That order will testify, and so will the recollection of every general officer of my division. It is not pretended, that those who now claim to be discharged, were not legally and fairly enrolled under the act of congress of the 6th of February, 1812. Have they performed the service required of them by that act, and which they then solemnly undertook to perform?

That required one year's service out of two, to be computed from the day of rendezvous, unless they should be sooner discharged. Has one year's service been performed? This cannot be seriously pretended. Have they then been discharged? It is said they have, and by me. To account for so extraordinary a belief, it may be necessary to take a review of past circumstances.

"More than twelve months have elapsed since we were called upon to avenge the injured rights of our country. We obeyed the call! In the midst of hardships, which none but those to whom liberty is dear could have borne without a murmur, we descended the Mississippi. It was believed our services were wanted in the prosecution of the just war in which our country was engaged, and we were prepared to render them. But, though we were disappointed in our expectations, we established for Tennessee a name which will long do her honour. At length, we received a letter from the secretary of war, directing our dismissal. You well recollect the circumstances of wretchedness in which this order was calculated to place us. By it, we were deprived of every article of public property; no provision was made for the payment of our troops, or their subsistence on their return march; whilst many of our sick, unable to help themselves, must have perished. Against the opinion of many, I marched them back to their homes before I dismissed them. Your regiment, at its own request, was dismissed at Columbia. This was accompanied with a certificate to each man, expressing the acts under which he had been enrolled, and the length of the tour he had performed. This it is which is now attempted to be construed 'a final discharge;' but surely it cannot be forgotten by any officer or soldier, how sacredly they pledged themselves, before they were dismissed, or received that certificate, cheerfully to obey the voice of their country, if it should re-summon them into service; neither can it be forgotten, I dare hope, for what purpose that certificate was given; it was to secure, if possible, to those brave men, who had shown such readiness to serve their country, certain extra emoluments, specified in the seventh section of the act under which they had engaged, in the event they were not recalled into service for the residue of their term.

"Is it true, then, that my solicitude for the interest of the volunteers, is to be made by them a pretext for dis-

gracing a name which they have rendered illustrious? Is a certificate, designed solely for their benefit, to become the rallying word for mutiny?—strange perversion of feeling and of reasoning! Have I really any power to discharge men whose term of service has not expired? If I were weak or wicked enough to attempt the exercise of such a power, does any one believe, the soldier would be thereby exonerated from the obligation he has voluntarily taken upon himself to his government? I should become a traitor to the important concern which has been entrusted to my management, while the soldier, who had been deceived by a false hope of liberation, would be still liable to redeem his pledge; I should disgrace myself, without benefiting you.

“I can only deplore the situation of those officers who have undertaken to persuade their men, that their term of service will expire on the 10th. In giving their opinions to this effect, they have acted indiscreetly, and without sufficient authority. It would be the most pleasing act of my life, to restore them with honour to their families. Nothing would pain me more than that any other sentiments should be felt towards them, than those of gratitude and esteem. On all occasions, it has been my highest happiness to promote their interest, and even to gratify their wishes, where, with propriety, it could be done. When in the lower country, believing that, in the order for their dismissal, they had been improperly treated, I even solicited the government to discharge them, finally, from the obligations into which they had entered. You know the answer of the secretary of war;—that neither he nor the president, as he believed, had the power to discharge them. How, then, can it be required of me to do so?

“The moment it is signified to me by any competent authority, even by the governor of Tennessee, to whom I have written on the subject, or by General Pinckney, who is now appointed to the command, that the volunteers may be exonerated from further service, that moment I will pronounce it, with the greatest satisfaction. I have only the power of pronouncing a discharge,—not of giving it, in any case,—a distinction which I would wish should be borne in mind. Already have I sent to raise volunteers, on my own responsibility, to complete a campaign which has been so happily begun, and thus far, so fortunately

prosecuted. The moment they arrive, and I am assured, that, fired by our exploits, they will hasten in crowds, on the first intimation that we need their services, they will be substituted in the place of those who are discontented here; the latter will then be permitted to return to their homes, with all the honour which, under such circumstances, they can carry along with them. But I still cherish the hope, that their dissatisfaction and complaints have been greatly exaggerated. I cannot, must not believe, that the 'Volunteers of Tennessee,' a name ever dear to fame, will disgrace themselves, and a country which they have honoured, by abandoning her standard, as mutineers and deserters; but should I be disappointed, and compelled to resign this pleasing hope, one thing I will not resign—my duty. Mutiny and sedition, so long as I possess the power of quelling them, shall be put down; and even when left destitute of this, I will still be found, in the last extremity, endeavouring to discharge the duty I owe my country and myself."

To the platoon officers, who addressed him on the same subject, he replied with nearly the same spirited feeling; but discontent was too deeply fastened, and by designing men, had been too artfully fomented, to be removed by any thing like argument or entreaty. At length on the evening of the 9th, General Hall hastened to the tent of Jackson, with information that his whole brigade was in a state of mutiny, and making preparations to move forcibly off. This was a measure which every consideration of policy, duty, and honour, required Jackson to oppose; and to this purpose he instantly applied all the means he possessed. He immediately issued the following general order:

"The commanding general being informed that an actual mutiny subsists in his camp, all officers and soldiers are commanded to put it down.

"The officers and soldiers of the first brigade will, without delay, parade on the west side of the fort, and await further orders." The artillery company, with two small field pieces, being posted in the front and rear, and the militia, under the command of Colonel Wynne, on the eminences, in advance, were ordered to prevent any forcible departure of the volunteers.

The General rode along the line, which had been previously formed agreeably to his orders, and addressed

them, by companies, in a strain of impassioned eloquence. He feelingly expatiated on their former good conduct, and the esteem and applause it had secured them; and pointed to the disgrace which they must heap upon themselves, their families, and country, by persisting, even if they could succeed, in their present mutiny. He told them, however, they should not succeed but by passing over his body; that even in opposing their mutinous spirit, he should perish honourably—by perishing at his post, and in the discharge of his duty. “Reinforcements,” he continued, “are preparing to hasten to my assistance: it cannot be long before they will arrive. I am, too, in daily expectation of receiving information whether you may be discharged or not—until then, you must not, and shall not retire. I have done with entreaty,—it has been used long enough.—I will attempt it no more. You must now determine whether you will go or peaceably remain: if you still persist in your determination to move forcibly off, the point between us shall soon be decided.” At first they hesitated;—he demanded an explicit and positive answer. They still hesitated, and he commanded the artillerist to prepare the match; he himself remaining in front of the volunteers, and within the line of fire, which he intended soon to order. Alarmed at his apparent determination, and dreading the consequences involved in such a contest; “Let us return,” was presently lisped along the line, and soon after determined upon. The officers now came forward, and pledged themselves for their men, who either nodded assent, or openly expressed a willingness to retire to their quarters, and remain without further tumult, until information were had, or the expected aid should arrive. Thus passed away a moment of the greatest peril, and pregnant with important consequences.

Calculating philosophers may maintain the opinion, that conduct like that pursued on this occasion, deserves no other name than rashness: it certainly was determined, and proved in the end decisive. At such a moment, hesitation must have been succeeded by a defeat of purpose, and an entire abandonment by his troops. To have been forsaken in such a manner, and under such circumstances, no expectation could have been entertained of drawing to the service, in any short time, additional troops. The consequence must have been, that the enemy, not subdued, but only exasperated, might, unobscured, have assailed

our unprotected frontiers, and drenched them in the blood of our defenceless citizens. These anticipations were alarming, and only to be prevented by some effort, bold and daring, as the one attempted. It was hazardous, yet it succeeded.

Although the immediate execution of their purpose was thus for the present prevented, it was presently ascertained not to be wholly abandoned, and that nothing could be expected from their future fidelity and services. Jackson, therefore, determined to rid himself, as soon as possible, of men whose presence answered no other end than to keep alive discontents in his camp. He accordingly prepared an order to General Hall, to march his brigade to Nashville, and to dispose of them as he should be directed by the governor of Tennessee. Previous to promulgating this, he resolved to make one further effort to retain them, and to make a last appeal to their honour and patriotism. For this purpose, having assembled them before the fort, on the 13th, he directed his aid-de-camp to read the following address:

"On the 10th of December, 1812, you assembled at the call of your country. Your professions of patriotism, and ability to endure fatigue, were at once tested by the inclemency of the weather. Breaking your way through sheets of ice, you descended the Mississippi, and reached the point at which you were ordered to be halted and dismissed. All this you bore without murmuring. Finding that your services were not needed, the means for marching you back were procured; every difficulty was surmounted, and, as soon as the point from which you embarked was regained, the order for your dismissal was carried into effect. The promptness with which you assembled, the regularity of your conduct, your attention to your duties, the determination manifested on every occasion, to carry into effect the wishes and will of your government, placed you on elevated ground. You not only distinguished yourselves, but gave to your state a distinguished rank with her sisters; and led your government to believe, that the honour of the nation would never be tarnished, when entrusted to the holy keeping of the 'Volunteers of Tennessee.'

"In the progress of a war, which the implacable and eternal enemy of our independence induced to be waged, we found that, without cause on our part, a portion of the



Creek nation was added to the number of our foes. To put it down, the first glance of the administration fell on you; and you were again summoned to the field of honour. In full possession of your former feelings, that summons was cheerfully obeyed. Before your enemy thought you in motion, you were at Tallushatchee and Talladega. The thunder of your arms was a signal to them that the slaughter of your countrymen was about to be avenged. You fought, you conquered! barely enough of the foe escaped to recount to their savage associates your deeds of valour. You returned to this place loaded with laurels, and the applauses of your country.

"Can it be, that these brave men are about to become the tarnishers of their own reputation!—the destroyers of a name which does them so much honour? Yes, it is a truth too well disclosed, that cheerfulness has been exchanged for complaints:—murmurings and discontents alone prevail. Men who a little while since were offering up prayers for permission to chastise the merciless savage—who burned with impatience to teach them how much they had hitherto been indebted to our forbearance, are now, when they could so easily attain their wishes, seeking to be discharged. The heart of your general has been pierced. The first object of his military affections, and the first glory of his life, were the volunteers of Tennessee! The very name recalls to him a thousand endearing recollections. But these men—these volunteers, have become mutineers. The feelings he would have indulged, your general has been compelled to suppress—he has been compelled by a regard to that subordination, so necessary to the support of every army, and which he is bound to have observed, to check the disorder which would have destroyed you. He has interposed his authority for your safety—to prevent you from disgracing yourselves and your country. Tranquillity has been restored in our camp—contentment shall also be restored; this can be done only by permitting those to retire whose dissatisfaction proceeds from causes that cannot be controlled. This permission will now be given. Your country will dispense with your services, if you have no longer a regard for that fame which you have so nobly earned for yourselves and her. Yes, soldiers, you who were once so brave, and to whom honour was so dear, shall be permitted to return to your homes if you still desire it. But in what

language, when you arrive, will you address your families and friends? Will you tell them that you abandoned your general and your late associates in arms, within fifty miles of a savage enemy; who equally delights in shedding the blood of the innocent female and her sleeping babe, as that of the warrior contending in battle? Lamentable, disgraceful tale! If your dispositions are really changed; if you fear an enemy you so lately conquered; this day will prove it. I now put it to yourselves;—determine upon the part you will act, influenced only by the suggestions of your own hearts, and your own understandings. All who prefer an inglorious retirement, shall be ordered to Nashville, to be discharged as the president or the governor may direct. Those who choose to remain, and unite with their general in the further prosecution of the campaign, can do so, and will thereby furnish a proof that they have been greatly traduced; and that although disaffection and cowardice has reached the hearts of some, it has not reached theirs. To such my assurance is given, that former irregularities will not be attributed to them. They shall be immediately organized into a separate corps, under officers of their own choice; and, in a little while, it is confidently believed, an opportunity will be afforded of adding to the laurels you have already won."

Warm and feeling as was the appeal, it failed of the desired effect. Captain Williamson alone agreed to remain. Finding that their determination to abandon the service could not be changed, and that every principle of patriotism was forgotten, the General communicated his order to General Hall, and directed him to march his brigade to Nashville, and await such instructions as he might receive from the president, or the governor of Tennessee.

Meantime the cavalry and mounted riflemen, who, under an express stipulation to return and complete the campaign, had been permitted to retire into the settlements, to recruit their horses and procure winter clothing, had, at the time appointed, re-assembled in the neighbourhood of Huntsville. But, catching the infection of discontent from the infantry, on their return march, they began now to clamour with equal earnestness for a discharge. The cavalry insisted that they were as well entitled to it as the infantry; and the riflemen, that they could not be held in service after the 24th, that being three months from the

time they had been mustered: and that as that day was so near at hand, it was wholly useless to advance any farther.

General Coffee, who was confined at Huntsville by severe indisposition, employed all the means which his debilitated strength would allow, to remove the dangerous impressions they had so readily imbibed, and to reclaim them to a sense of honour and of duty; but all his efforts proved unavailing. He immediately ordered his brigade to head-quarters: they had proceeded as far as Ditto's ferry, when the greater part of them refusing to cross the river, returned in a tumultuous manner, committing on the route innumerable irregularities, which there was no force sufficient to restrain. Not more than seven hundred of the brigade could be gotten over; who, having marched to Deposit, were directed to be halted, until further orders could be obtained from General Jackson. At this place they committed the wildest extravagancies; profusely wasting the public grain, which, with much difficulty and labour, had been collected for the purpose of the campaign; and indulging in every species of excess. Whilst thus rioting, they continued to clamour vociferously for their discharge. General Coffee finding his utmost efforts ineffectual, to restrain or to quiet them, wrote to Jackson, acquainting him with their conduct and demands, and enclosing a petition that had been addressed to him by the rifle regiment. In his letter he says, "I am of opinion, the sooner they can be gotten clear of the better; they are consuming the forage that will be necessary for others, and I am satisfied they will do no more good. I have told them, their petition would be submitted to you, who would decide upon it in the shortest possible time." This was truly disagreeable news to the General. Already sufficiently harassed by the discontents and oppositions of his troops, now that they had retired, he looked anxiously forward, indulging a hope that the tranquillity of his camp would be no more assailed. On the brigade of Coffee, he had placed great reliance, and, from the pledges it had given him, entertained no fears but that it would return and act with him, as soon as he should be ready to proceed. He replied to General Coffee, and taking a view of the grounds and causes of their complaints, endeavoured to reconcile their objections, and persuade them to a discharge of the duties which they had undertaken, and covenanted to perform.

The signers of that address, observes the General, commence by saying, 'that jealousy is prevailing in our camp, with respect to the understanding between themselves and the government, relative to the service required of them; and, believing it to be its policy to act fairly, are of opinion that a full explanation of their case will have a good effect in promoting the cause in which they are engaged.'

"What can have given rise to this jealousy, I am at a loss to conjecture; for surely no unfair practices were ever used by their government to get them into the service, nor to keep them in it longer than they had engaged to remain. How long that was, can be easily determined by the law under which they were accepted. This was open to all, and must be presumed to have been understood by all. But for a complete answer, I send you and refer you to the written pledges, of both the field and platoon officers, before they returned to recruit their horses, and obtain their winter clothing. As they seem completely to have forgotten, remind them of all they contain,—of their assurances given, that, if what they asked were granted, they would return, at the shortest possible notice, prepared and willing to go through the winter service, or to the end of the campaign. Sensible of their necessities, and confiding fully in the promises they made, and signed with their own names, I permitted them, on the 22d ultimo, to return into the settlements, for the purpose of procuring fresh horses and additional clothing; and required them, to which they readily agreed, to rendezvous in Madison, on the 8th instant. They have returned, and now, when every calculation is made upon their services, agreeably to the pledges that have been given, they send, (instead of coming,) this address. Under these circumstances, what 'explanation of their case' do they want? What explanation do they expect their general to give them? Barely to remind them of their written pledges, without attempting any exposition of the law, under which they have engaged, is surely a sufficient answer. An exposition of it will not be attempted by me; not only because it is considered unnecessary, but because my opinion on it has been already frequently given.

"I cannot conceive how the idea has arisen, that they are attempted to be detained without their consent. To say nothing of the length of service really required by the law under which they were accepted, have not the field of-

ficers given their written consent to remain during the winter, or until the campaign be completed? Have they not also given a pledge for their men, and the officers commanding companies and platoons; and have not those company and platoon officers, given a similar assurance for themselves and their men? Let them look to these pledges, and blush at their conduct.

"They also remark, 'If any tender of services, for a longer time than a tour of duty, (three months,) has been made to the general government, we beg leave to say, it was without our consent or knowledge; and we are convinced that, in all contracts that are binding, both parties must fully understand and consent thereto. We wish to be permitted to return home, and to return under such circumstances as will entitle us to be praised, instead of blamed, by those who so gallantly led us to battle.'

"To this I answer, that no tender for any specified term of service was ever made to the general government by me, or by any other within my knowledge. As regards their *law remark*, that men, to be bound by a contract, must understand and consent to it, it will be a sufficient answer, that those who volunteer their services, under a public law, are presumed to understand fully all its provisions; or, at any rate, that those who sign an instrument drawn up by themselves, cannot reasonably be supposed ignorant of its contents, or unwilling to abide by its terms. But they must be lukewarm patriots indeed, who, in the moment of danger and necessity, can halt in the discharge of their duty to argue and quibble on the construction of laws and statutes.

"As to their wish 'to be praised instead of censured,' I am at a loss to conceive how such a sentiment should hold a place in the breasts of men who are about to abandon the cause of their country at such a moment as this, and under such engagements. Even if it be possible for such men to desire praise, from their present conduct they cannot expect it, nor believe themselves entitled to receive it. Before they can have determined to enter upon such a course, they must undoubtedly have prepared their minds to meet all the contumely and contempt that an indignant country can heap upon such wind-blown patriots; who, when at home, clamoured so vociferously about her injured rights, and having taken up arms to defend them, abandon them at a moment when they are most in danger.

A grosser aliment than praise must be the proper nutriment for such minds. If it were possible that any doubt could exist, under the law by which their services were engaged, has not the utmost certainty been produced by their own written undertakings, subsequently made? But on the question, whether their country, at this time, needs their services in the field, there can be no doubt. And is patriotism to be measured by months, and weeks, and days? Is it by such a computation, that the volunteer, embarked in his country's defence, hopes to entitle himself to the thanks of that country, when her rights are assailed, and his efforts can protect them?—Be it so; let it be even granted, that these men's engagements have expired under the law; has their sacred pledge, in writing, and has their love of country expired? If these cannot bind them to a faithful performance of their duty, I know of nothing by which I can hope to hold them."

Few men had ever imposed, the necessity of contending with greater difficulties. The volunteers, proud of the name, and conceiving themselves superior to the militia, had just fought their first battle; and if suffering had not destroyed their early excitement, the same fervour with which they set out might have still continued; but the negligence or interested views of contractors, had introduced such discontents, as that to repress them, boldness and energy were required. But to effect this, as events proved, was impracticable, inasmuch as the termination of one difficulty seemed but the commencement of another. It is not wondrous then, that the patience of the General should have been exhausted; or in the address presented he should have indulged those feelings which the occasion and the circumstances were so well calculated to inspire.

To have addressed them in a strain less pointed and independent, or to have endeavoured to sooth their discontents by entreaty, might at some other time, and under different circumstances, have been better resorted to for success; but the ineffectual attempts that had been made with his infantry, who had forsaken the camp, in spite of every thing that persuasion, threats, or honour could suggest, left but a narrow basis on which to erect a hope of his being able to detain them. There was but a single course left; to point to the pledge they had given, and appeal directly to their honour, believing that if this were

unsuccessful, there was "nothing by which he could hope to hold them."

Jackson had just received a letter from the governor of Tennessee, in answer to his frequent and pressing inquiries, as to the disposition which should be made of the volunteers. It recommended what had already, from necessity, been done; to dismiss—not discharge them, because the latter was not in the power of either:—nor was their dismissal to be given, because founded in right; but because, under existing circumstances, their presence could not prove beneficial, but highly injurious. To induce them contentedly to remain, the governor had suggested but one argument, which had not already been unsuccessfully attempted; "that it was very doubtful if the government would pay them for the services they had already rendered, if abandoned without her authority." It is true, that avarice sometimes alters a determination, when other considerations have failed of success; whether this appeal might not result beneficially with the cavalry, whose presence was greatly desired, was at least worthy the trial. It was important, however, to bring it before them in some delicate manner to awaken inquiry, and guard against offence. The letter was therefore enclosed for their inspection, accompanied with these remarks:—"I have just received a letter from Governor Blount, which I hasten to transmit, that you may avail yourselves of whatever benefits and privileges it holds out. You will perceive, that he does not consider he has any power to discharge you,—neither have I:—but you have my permission to retire from the service, if you are still desirous of doing so, and are prepared to risk the consequences."

These letters, so far from answering the desired end, had a directly contrary effect. That of the governor was no sooner read, than they eagerly laid hold of it to support the resolution they had already formed; and without further ceremony or delay, abandoned the campaign.

## CHAPTER IV.

Discontents of the militia.—Governor Blount recommends an abandonment of the service.—Jackson's reply to his letter.—The governor takes measures for bringing out a sufficient force.—Militia retire from service.—Lieutenant Kearley.—General Jackson endeavours to detain the East Tennessee troops.—His address to them.—Arrival of additional forces.—Expedition against the Indians.—His motives.—Battle of Emuckfaw.—General Coffee proceeds to destroy the enemy's fortifications.—Second battle of Emuckfaw.—Troops commence their return march.—Ambuscade formed by the Indians.—Battle of Enotichopco.

THE events just portrayed, satisfactorily prove, that militia are not only the most expensive troops in war, but such as cannot be relied on beyond that period where excitement and buoyancy of spirit is preserved; and even then, none but the most determined officers can control them. Despondency overtaking them, their efficiency is destroyed; but, when mutinous, they are rendered worse than useless.

Whilst these unfortunate events were transpiring in the rear, matters were far from wearing an encouraging aspect at head-quarters. The brigade of West Tennessee militia, at no time full, and at present consisting, in consequence of numerous desertions, of about six hundred, imitating the evil examples lately set before it, began, as the day on which they imagined themselves entitled to a discharge was approaching, to turn their attention towards home. Believing that three months constituted the tour of duty contemplated in the act under which their services had been engaged, they insisted that it would terminate on the 4th of the ensuing month. This, however, was a construction that Jackson was by no means disposed to admit. It is true, the act had not defined the term of their engagement; but it had specified the object of calling them out, and as that object had not yet been attained, it was believed, that at present, they were not entitled to a discharge. In addition to this, these troops, although raised by the state authorities, had been received into the service of the general government, under the act of congress authorizing the president to call out a hundred thousand militia, to serve for six months, unless by his own order they should be previously dismissed. So that,



whether the act of congress, or the legislature of Tennessee, were taken as the governing rule in this case, it was believed there was no authority competent to extend to them a discharge, at the time it was threatened to be demanded. The militia of East Tennessee, having been specially mustered into service for three months, would, of course, be entitled to claim their dismissal at the expiration of that period; hence Colonel Lilliard's regiment, which constituted more than one half the present force at head-quarters, would be lost to the service on the 14th of the next month.

With the failure of General Cocke, to bring into the field the number and description of troops which he had been ordered to raise under the requisition of the president, as well as with the temper and demands of those who were in service, Jackson kept the governor of Tennessee correctly advised; and omitted no opportunity of entreating him, in the most pressing manner, to take the earliest measures for supplying by draft, or voluntary enlistment, the present deficiency, as well as that which, from every appearance, was soon to be expected. To these solicitations, he had now received the governor's answer, who stated, that, having given an order to bring into the field fifteen hundred of the detached militia, as was required by the secretary of war, and a thousand volunteers, under the act of the legislature of Tennessee of the 24th September, he did not feel himself authorized to grant any new mandate, although satisfied that the first had not been complied with; that he viewed the further prosecution of the campaign, attended as it was with so many embarrassments, as a fruitless endeavour; and concluded by recommending, as advisable, to withdraw the troops into the settlements, and suspend all active operations, until the general government should provide more effectual means for conducting it to a favourable result. Jackson, far from having any intention to yield to this advice, determined to oppose it. Still, however, he was greatly concerned at the view the chief magistrate of his state seemed to take of a question of such vital importance; and immediately proceeded to unfold himself fully, and to suggest the course, which, he believed, on the present occasion, it behooved them both to pursue: pointing out the ruinous consequences that might be expected to result from the adoption of the measure he had undertaken to recommend, he continues:—

"Had your wish, that I should discharge a part of my force, and retire with the residue into the settlements, assumed the form of a positive order, it might have furnished me some apology for pursuing such a course; but by no means a full justification. As you would have no power to give such an order, I could not be inculpable in obeying, with my eyes open to the fatal consequences that would attend it. But a bare recommendation, founded, as I am satisfied it must be, on the artful suggestions of those fireside patriots, who seek, in a failure of the expedition, an excuse for their own supineness; and upon the misrepresentations of the discontented from the army, who wish it to be believed, that the difficulties which overcame their patriotism are wholly insurmountable, would afford me but a feeble shield against the reproaches of my country or my conscience. Believe me, my respected friend, the remarks I make proceed from the purest personal regard. If you would preserve your reputation, or that of the state over which you preside, you must take a straight-forward, determined course; regardless of the applause or censure of the populace, and of the forebodings of that dastardly and designing crew, who, at a time like this, may be expected to clamour continually in your ears. The very wretches who now beset you with evil counsel, will be the first, should the measures which they recommend eventuate in disaster, to call down imprecations on your head, and load you with reproaches. Your country is in danger:—apply its resources to its defence! Can any course be more plain? Do you, my friend, at such a moment as the present, sit with your arms folded, and your heart at ease, waiting a solution of your doubts, and a definition of your powers? Do you wait for special instructions from the secretary at war, which it is impossible for you to receive in time for the danger that threatens? How did the venerable Shelby act, under similar circumstances; or rather, under circumstances by no means so critical? Did he wait for orders to do what every man of sense knew—what every patriot felt—to be right? He did not; and yet how highly and justly did the government extol his manly and energetic conduct! and how dear has his name become to every friend of his country!

"You say, that an order to bring the necessary quota of men into the field has been given, and that of course your

power ceases; and, although you are made sensible that the order has been wholly neglected, you can take no measure to remedy the omission. Widely different, indeed, is my opinion. I consider it your imperious duty, when the men, called for by your authority, founded upon that of the government, are known not to be in the field, to see that they be brought there; and to take immediate measures with the officer, who, charged with the execution of your order, omits or neglects to do it. As the executive of the state, it is your duty to see that the full quota of troops be constantly kept in the field, for the time they have been required. You are responsible to the government; your officer to you. Of what avail is it to give an order, if it be never executed, and may be disobeyed with impunity? Is it by empty mandates that we can hope to conquer our enemies, and save our defenceless frontiers from butchery and devastation? Believe me, my valued friend, there are times when it is highly criminal to shrink from responsibility, or scruple about the exercise of our powers. There are times when we must disregard punctilious etiquette, and think only of serving our country. What is really our present situation? The enemy we have been sent to subdue, may be said, if we stop at this, to be only exasperated. The commander in chief, General Pinckney, who supposes me by this time, prepared for renewed operations, has ordered me to advance, and form a junction with the Georgia army; and, upon the expectation that I will do so, are all his arrangements formed for the prosecution of the campaign. Will it do to defeat his plans, and jeopardize the safety of the Georgia army? The general government, too, believe, and have a right to believe, that we have now not less than five thousand men in the heart of the enemy's country; and on this opinion are all their calculations bottomed; and must they all be frustrated, and I become the instrument by which it is done? God forbid!

"You advise me to discharge or dismiss from service, until the will of the president can be known, such portion of the militia as have rendered three months' service. This advice astonishes me even more than the former. I have no such discretionary power; and if I had, it would be impolitic and ruinous to exercise it. I believed, the militia who were not specially received for a shorter period, were engaged for six months, unless the objects of

the expedition should be sooner attained; and in this opinion I was greatly strengthened by your letter of the 15th, in which you say, when answering my inquiry upon this subject, "the militia are detached for six months' service;" nor did I know, or suppose, you had a different opinion, until the arrival of your last letter. I have laboured hard to reconcile these men to a continuance in service, until they could be honourably discharged, and had hoped I had, in a great measure, succeeded; but your opinion, operating with their own prejudices, will give a sanction to their conduct, and render useless any further attempts. They will go; but I can neither discharge nor dismiss them. Shall I be told, that as they will go, it may as well be peaceably permitted; can that be any good reason why I should do an unauthorized act? Is it a good reason why I should violate the order of my superior officer, and evince a willingness to defeat the purposes of my government? And wherein does the 'sound policy' of the measures that have been recommended consist? or in what way are they 'likely to promote the public good?' Is it sound policy to abandon a conquest thus far made, and deliver up to havoc, or add to the number of our enemies, those friendly Creeks and Cherokees, who, relying on our protection, have espoused our cause, and aided us with their arms? Is it good policy to turn loose on our defenceless frontiers, five thousand exasperated savages, to reek their hands once more in the blood of our citizens? What! retrograde under such circumstances! I will perish first. No, I will do my duty: I will hold the posts I have established, until ordered to abandon them by the commanding general, or die in the struggle;—long since have I determined not to seek the preservation of life at the sacrifice of reputation.

"But our frontiers, it seems, are to be defended, and by whom? By the very force that is now recommended to be dismissed: for I am first told to retire into the settlements and protect the frontiers; next to discharge my troops; and then, that no measures can be taken for raising others. No, my friend, if troops be given me, it is not by loitering on the frontiers that I will seek to give protection;—they are to be defended, if defended at all, in a very different manner; by carrying the war into the heart of the enemy's country. All other hopes of defence are more visionary than dreams. What then is to be

done? I'll tell you what. You have only to act with the energy and decision the crisis demands, and all will be well. Send me a force engaged for six months, and I will answer for the result,—but withhold it, and all is lost,—the reputation of the state, and your's, and mine along with it."

This letter had considerable effect with the governor. On receiving it, he immediately determined on a course of greater efficiency, and ordered from the second division twenty-five hundred of the militia, for a tour of three months, to rendezvous at Fayetteville on the 28th of January. The command was given to Brigadier-General Johnston, with orders to proceed without delay, by detachments or otherwise, to Fort Strother. He instructed General Cocke to execute the order he had received from Jackson, for raising from his division his required quota of troops, and to bring them to the field as early as possible.

These measures were taken by the governor in opposition to his first views of their impropriety—without any special directions from the government. If, any doubts, however, remained of the correctness of the course adopted, they were soon after dispelled by a letter from the secretary of war, stating that he was "authorized to supply, by militia drafts or volunteers, any deficiency that might arise, and without referring on that head to the department of war."

The day had arrived, when that portion of the militia which had continued in service, claimed to be discharged; and insisted, that whether this were given to them or not, they would abandon the campaign and return home. Jackson believed them not entitled to it, and hence, that he had no right to give it; but since Governor Blount had said differently, and his opinion, as was requested, had been promulgated, he felt it to be improper that he should attempt any exercise of authority to detain them. Nevertheless, believing it to be his duty to keep them, he issued a general order, commanding all persons in the service of the United States, under his command, not to leave the encampment without his written permission, under the penalties annexed by the rules and articles of war, to the crime of desertion. This was accompanied by an address, in which they were exhorted, by all those motives which he supposed would be most likely to have any influence,

to remain at their posts until they could be legally discharged. Neither the order nor the address availed any thing. On the morning of the 4th of January, the officer of the day reported, that on visiting his guard, half after ten o'clock, he found neither the officer, (Lieutenant Kearley,) nor any of the sentinels at their posts. Upon this information, General Jackson ordered the arrest of Kearley, who refused to surrender his sword, alleging it should protect him to Tennessee; that he was a freeman, and not subject to the orders of General Jackson, or any body else. This being made known to the General, he issued, immediately, this order to the adjutant-general: "You will forthwith cause the guards to parade, with Captain Gordon's company of spies, and arrest Lieutenant Kearley; and, in case you shall be resisted in the execution of this order, you are commanded to oppose force to force, and arrest him at all hazards. Spare the effusion of blood, if possible; but mutiny must, and shall be put down." Colonel Sitler, with the guards and Gordon's company, immediately proceeded in search, and found him at the head of his company, on the lines, which were formed, and about to be marched off. He was ordered to halt, but refused. The adjutant-general, finding it necessary, directed the guards to stop him; and again demanded his sword, which he again refused to deliver. The guards were commanded to fire on him if he did not immediately deliver it, and had already cocked their guns. At this order, the lieutenant cocked his, and his men followed the example. General Jackson, informed of what was passing, had hastened to the scene, and arriving at this moment, personally demanded of Kearley his sword, which he still obstinately refused. Incensed at his conduct, and viewing the example as too dangerous to be passed in silence, he snatched a pistol from his holster, and was already levelling it at the breast of Kearley, when the adjutant-general interposing between them, urged him to surrender his sword. At this moment, a friend of the lieutenant, who was present, drew it from the scabbard, and presented it to Colonel Sitler, who refused to receive it. It was then returned to Kearley, who now delivered it, and was placed under guard. During this crisis, both parties remained with their arms ready, and prepared for firing; and a scene of bloodshed was narrowly escaped.

Kearley being confined, and placed under guard, be-

came exceedingly penitent, and earnestly supplicated the General for a pardon. He stated that the absence of the guards and sentinels from their post had been owing to the recommendation and advice of the brigade-major; that his not delivering his sword, when it was first demanded, was attributable to the influence and arguments of others, who had persuaded him it was not his duty to do so; that he had afterwards come to the determination to surrender himself, but was dissuaded by those who assured him it would be a sacrifice of character, and that they would share in his disobedience and protect him in the hour of danger; why he still resisted, in the presence of the General, was, that being at the head of his company, and having undertaken to carry them home, he was restrained, at the moment, by a false idea of honour. This application was aided by certificates of several of the most respectable officers then in camp, attesting his previously uniform good behaviour, and expressing a belief that his late misconduct was wholly to be attributed to the interference of others. Influenced by these reasons, but particularly by an apprehension of the seductions which he believed had been practised upon him, by older and more experienced officers in his regiment, the General thought proper to order his liberation from arrest, and his sword to be restored to him. Never was a man more sensible of the favour he had received, or more devoted to his benefactor, than he afterwards became.

While these proceedings were taking place, the rest of the brigade, with the exception of Captain Willis's company, and twenty-nine of his men, continued their march towards home, leaving behind, for the further prosecution of the campaign, and the defence of Fort Strother, a single regiment of militia, whose term of service was within a few weeks of expiring; two small companies of spies, and one of artillery. As this regiment had often professed a desire to be led against the enemy, and to contend in battle, before they quitted the service, Jackson flattered himself with the hope, that they would, for this purpose, willingly remain in the field a few days beyond the period of their engagements. On the next day, therefore, with a view to test their patriotism and to detain them if possible, he caused to be read to that regiment the following address.

"Your general, having reported that your term of ser-

vice will expire on the 14th, I assume no claim on you beyond that period. But, although I cannot demand as a right, the continuance of your services, I do not despair of being able to obtain them through your patriotism. For what purpose was it that you quitted your homes, and penetrated the heart of the enemy's country? Was it to avenge the blood of your fellow citizens, inhumanly slain by that enemy; to give security in future to our extended and unprotected frontier, and to signalize the valour by which you were animated? Will any of these objects be attained if you abandon the campaign at the time you contemplate? Not one! Yet an opportunity shall be afforded you, if you desire it. If you have been really actuated by the feelings, and governed by the motives, which your commanding general supposes influenced you to take up arms, and enter the field in defence of your rights, none of you will resist the appeal he now makes, or hesitate to embrace with eagerness, the opportunity he is about to afford you.

"The enemy, more than half conquered, yet deriving encouragement and hope from the tardiness of our operations, and the distractions which have unhappily prevailed in our camp, are again assembling below us. Another lesson of admonition must be furnished them. They must again be made to feel the weight of that power which they have, without cause, provoked to war; and to know, that although we have been slow to take up arms, we will never lay them from our hands until we have secured the objects that impelled us to the resort. In less than eight days, I shall leave this encampment to meet and fight them. Will any of you accompany me? Are there any amongst you, who, at a moment like this, will not think it an outrage upon honour, for her feelings to be tested by a computation of time? What if the period for which you tendered your services to your country has expired—is that a consideration with the valiant, the patriotic, and the brave, who have appeared to redress the injured rights of that country, and to acquire for themselves the name of glory? Is it a consideration with them, when those objects are still unattained, and an opportunity of acquiring them is so near at hand? Did such men enter the field like hirelings—to serve for pay? Does all regard for their country, their families, and themselves, expire with the time for which their services were engaged? Will it be



a sufficient gratification to their feelings, that they served three months, without seeing the enemy, and then abandoned the campaign when the enemy was in the neighbourhood, and could be seen and conquered in ten days? Any retrospect they can make of the sacrifices they have encountered, and the privations they have endured, will afford but little satisfaction under such circumstances;—the very mention of the Creek war, must cover them with the blushes of shame, and self abasement. Having engaged for only three months, and that period having expired, you are not bound to serve any longer:—but are you bound by nothing else? Surely, as honourable and high-minded men, you must, at such a moment as the present, feel other obligations than the law imposes. A fear of the punishment of the law, did not bring you into camp;—that its demands are satisfied, will not take you from it. You had higher objects in view,—some greater good to attain. This your general believes,—nor can he believe otherwise, without doing you great injustice.

“Your services are not asked for longer than twenty days; and who will hesitate making such a sacrifice, when the good of his country and his own fame are at stake? Who, under the present aspect of affairs, will even reckon it a sacrifice? When we set out to meet the enemy, this post must be retained and defended; if any of you will remain, and render this service, it will be no less important than if you had marched to the battle; nor will your general less thankfully acknowledge it. Tuesday next, the line of march will be taken up: and in a few days thereafter, the objects of the excursion will be effected. As patriotic men, then, I ask you for your services; and thus long, I have no doubt you will cheerfully render them. I am well aware, that you are all anxious to return to your families and homes, and that you are entitled to do so; yet stay a little longer,—go with me, and meet the enemy, and you can then return, not only with the consciousness of having performed your duty, but with the glorious exultation of having done even more than duty required.”

What was hoped and expected from this address, did not result. Difficulties were constantly pressing; and whilst one moment gave birth to expectation, the next served but to destroy it. Jackson had been advised, and was buoyed by the hope, that adequate numbers would shortly come to his relief; and until this could be accom-

plished, it was desirable to retain those who then were with him, to give to his posts increased protection. Whilst measures were adopting in Tennessee, to effect this fully, about a thousand volunteers were moving out, to preserve an appearance of opposition, and keep secure what had been already gained. With this force, added to what he already had, if in his power to keep them, he believed he would be able to advance on the enemy, make a diversion in favour of the Georgia army, and obtain other important advantages. With this view, he had addressed this regiment, and brought before them such considerations as might be supposed calculated to excite a soldier's ardour. But, in answer to his address, the commanding officer replied, that having called upon the several officers in his regiment, to make a statement of those in their respective companies who were willing to remain beyond the period of their engagement, it appeared that with the exception of Captain Hamilton and three of his men, none would consent to do so.

Meantime, the volunteers, lately raised, had arrived at Huntsville, where they had been directed to remain until sufficient supplies could be had at head-quarters. Could they have proceeded directly on, they would have reached the General sufficiently early to have enabled him to proceed against the enemy before the period at which the remnant of his troops would have been entitled to a discharge. His exertions to have in readiness the arrangements necessary to the accomplishment of this end, had been indefatigable. The more certainly to effect his object, he had, on the 20th of December, despatched his own quarter-master and adjutant-general to Deposit and Huntsville, to push on what supplies should be collected and on hand at those places; and had, at the same time, despatched one of the sub-contractors from camp, with directions to examine the situation of the different depots; and, if found insufficient to meet the requisition he had made, to proceed immediately to the settlements in Tennessee, and procure the necessary supplies. To the contractors themselves, he had addressed orders and exhortations almost without number; and, indeed, from every source, and through every channel that the hope of relief could be discerned, had he directed his exertions to obtain it.

Having thus strained every nerve, and unceasingly directed all his efforts towards the accomplishment of this

object, he had, for awhile, flattered himself with the hope that his multiplied endeavours would enable him to bring on his new troops in time for that combined movement with the East Tennessee militia which he so much desired. So important did he consider this measure, that he was willing to subject himself to considerable hazard, rather than not effect it. To Colonel Carroll he wrote, on learning that he was on his way with the newly raised troops—"I am happy to hear of your success in procuring volunteers. I shall receive, with open arms, those who, in this hour of need, so gallantly come forth to uphold the sinking reputation of their state. I am exceedingly anxious to re-commence operations, and indeed they have become more necessary than ever; yet I cannot move without supplies. As this will meet you near where the contractors are, you will be better able to ascertain than I can inform you, when that happy moment will arrive: and I pray you, use your best exertions to have it brought about with the least possible delay. Until supplies, and the means of transportation can be furnished, to justify another movement from this place, it will be better that you remain where your horses can be fed. I say this, upon the supposition and hope, that it may shortly be effected; but were it certain that the same causes of delay which have so long retarded our operations, were still to continue, I would, at every risk, and under every responsibility, take up the march so soon as the troops now with you could arrive. For such a measure, I should seek my justification in the imperiousness of the circumstances by which I am surrounded; and rely for success upon heaven, and the enterprise of my followers.

"Partial supplies have arrived, for my use, at Fort Armstrong, which will be ordered on to-morrow. This, with the scanty stock on hand, will at least keep us from starving a few weeks, until we can quarter upon the enemy, or gain assistance from the country below. General Claiborne, who is encamped eighty-five miles above Fort Stoddart, writes me, that arrangements are made to send supplies up the Alabama, to the junction of the Coosa and Tallapoosa. Upon such resources will I depend, sooner than wait until my army wastes away, or through inaction becomes mutinous and unfit for service."

The hopes, however, which had been cherished, of combined operations, with all the forces at that time under his

control, he was compelled, by the late events in the camp, to relinquish; but although these were highly discouraging, they were far from inducing him to despond. He was strongly persuaded of the necessity of proceeding; and determined, that as soon as it were possible, he would prosecute the campaign with the feeble force he had at his command, deferring the period for more active operations, until the expected reinforcements, collecting in Tennessee, could be brought into the field.\*

On the second of January, Colonel Carroll and Mr. Blackburn, having proceeded from Huntsville, arrived at head-quarters, to receive instructions as to the manner in which the volunteers should be organized; and to learn the time when they would be required to be brought up. Having reported their strength to be eight hundred and fifty, they were directed to have them formed, as had been desired, into two regiments, under officers of their own choice; and an order was put into their hands, requiring General Coffee, who was then at Huntsville, to march them to Fort Strother, by the 10th instant. Their arrival, however, was not effected until the 13th.

Every preparation was now made to hasten an accomplishment of the objects in view. The whole effective force consisted, at this time, by the reports, of little more than nine hundred men, and was, in reality, below that number.

Being addressed by the General, on the occasion, on the 15th, the mounted troops commenced their march, and moved to Wehogue creek, three miles from the fort. Jackson, with his staff, and the artillery company, joined them next morning at that place, and continued the line of march to Talladega, where about two hundred friendly Indians, badly armed, and much discouraged at the weak-

\* There was no law, either of the state or general government, for a period so limited as sixty days, which was the tender made by those volunteers. The General was in doubt, therefore, whether or not to receive them; but, believing he might make a partial excursion, and thereby produce a diversion favourable to the Georgia troops, who, relying on his co-operation, might be perhaps greatly endangered without it; and considering that their rejection might tend to the injury of the campaign, he finally concluded to accept them. Previously to doing so, he stated his objections, and the difficulties he felt; and endeavoured to prevail on them to enlarge their term of service: to this they would not agree; when, rather than lose them entirely, he consented to receive them.

ness of his force, were added to his numbers, without increasing much his strength. Seldom, perhaps, has there been an expedition undertaken, fraught with greater peril than this. Nine hundred new recruits, entirely unacquainted with the duties of the field, were to be marched into the heart of an enemy's country, without a hope of escape, but from victory, and that victory not to be expected, but from the wisest precaution, and most determined bravery. Although so obviously pregnant with danger, to march was the only alternative that could be prudently adopted. No other could afford a diversion favourable to General Floyd, who was advancing with the army from Georgia, or give favourable results to the campaign, without which it must soon have been abandoned, for want of men to prosecute it. Another reason rendered such a movement proper, and indispensable. The officer commanding at Fort Armstrong had received intelligence, on which was placed the utmost reliance, that the warriors from fourteen or fifteen towns on the Tallapoosa, were about to unite their forces, and attack that place; which was in a weak and defenceless situation. Of this, General Jackson had been advised. The present movement then, hazardous as it was, under all circumstances, was indispensable, and could alone prevent the execution of such a purpose, if it were in truth intended. On reaching Talladega, he received a letter from the commandant at Fort Armstrong, confirmatory of the first information that had been obtained, and which left it no longer a matter of doubt but, an attack would be speedily waged against that depot. One also from General Pinckney, by express, arrived, advising him that Floyd, on the 10th instant, would move from Coweta, and in ten days thereafter, establish a position at Tuckabatchee; and recommended, if his force would allow him to do no more, that he should advance against such of the enemy's towns as might be within convenient distance; that, by having his troops employed, he might keep disaffection from his ranks, and be, at the same time, serviceably engaged in harassing the enemy. If, therefore, he could have hesitated before, there was no longer any room to do so. By an expeditious movement, he might save Fort Armstrong, and render an essential service to General Floyd, by detaching a part of the clans destined to proceed against him. The force which might act against either, was understood to be then

collected in a bend of the Tallapoosa, near the mouth of a creek called Emuckfaw, and thither he determined, by the nearest route, to direct his course.

As he progressed on the march, a want of the necessary knowledge in his pilots, of subordination in his troops, and skill in the officers who commanded them, became more and more apparent; but still their ardour to meet the enemy was not abated. Troops unacquainted with service are oftentimes more sanguine than veterans. The imagination too frequently portraying battles in the light of a frolic, keeps danger at a distance, until, suddenly springing into view, it becomes a monster too hideous to be withstood.

On the evening of the 21st, sensible, from the trails fallen in upon, fresh, and converging to a point, that he must be in the neighbourhood of the enemy, Jackson encamped his little army in a hollow square, on a eligible site, upon the eminences of Emuckfaw, sent out his spies, posted his piquets, doubled his sentinels, and made the necessary arrangements to guard against attack. About midnight the spies came in and reported they had discovered a large encampment of Indians, at about three miles distance, who, from their whooping and dancing, their usual precursors to battle, were no doubt apprised of his arrival. Every thing was ready for their reception, if they meditated an attack, or to pursue in the morning, if they did not. At the dawn of day, the alarm guns of our sentinels, succeeded by shrieks and savage yells, announced their presence. They commenced a furious assault on the left flank, commanded by Colonel Higgins, which was met and opposed with great firmness. General Coffee and Colonels Carroll and Sitler, instantly repaired to the point of attack, and, by example and exhortation, encouraged the men to a performance of their duty. The action raged for half an hour; the brunt of which being against the left wing, it had become considerably weakened. It being now sufficiently light to ascertain, correctly, the position of the enemy, and Captain Ferril's company having come up and reinforced the left wing, the whole charged under General Coffee, and a rout immediately ensued. The friendly Indians joining in the pursuit, they were chased about two miles, with considerable loss. We had five killed, and twenty wounded. Until it became light enough

to discern objects, our troops derived considerable advantage from their camp fires; these having been placed at some distance without the line of the encampment, afforded a decided superiority in a night attack, by enabling those within to fire with great accuracy on an approaching enemy, whilst they themselves remained invisible in the dark.

The pursuit being over, Jackson detached General Coffee, with the Indians, and four hundred men, to destroy the enemy's encampment, unless he should find it too strongly fortified; in which event, he was to give information immediately, and wait the arrival of the artillery. Coffee, having reconnoitred this position, and found it too strong to be assailed with the force he commanded, returned to camp. The propriety of this determination was soon perceived. He had not returned more than half an hour, when a severe fire was made upon the piquets, posted on the right, accompanied with prodigious yelling. General Coffee, having obtained permission, proceeded to turn the left flank of the assailants. This detachment being taken from different corps, he placed himself at their head, and moved briskly forward. Those in the rear, availing themselves of this circumstance, continued to drop off, one by one, without his knowledge, until the whole number left with him did not exceed fifty. It was fortunate that the force of the enemy he had first to attack was not greater. He found them occupying a ridge of open pine timber, covered with low underwood, which afforded them many opportunities for concealment. To deprive them of this advantage, which they are very dexterous in taking, Coffee ordered his men to dismount and charge them. This order was promptly obeyed, and some loss sustained in its execution; the general himself was wounded, and his aid, Major Donelson killed;—three of his men also fell. The enemy, driven back by the charge, took refuge on the margin of a creek, covered with reeds, where they lay concealed.

The savages having intended the attack on the right as a feint, now, with their main force, which had been concealed, made a violent onset on our left line, which they hoped to find weakened, and in disorder. General Jackson, however, who had apprehended their design, was prepared to meet it: this line had been ordered to remain

firm in its position; and when the first gun was heard in that quarter, he repaired thither in person, and strengthened it by additional forces. The first advance of the enemy, though sudden and violent, was sustained with firmness, and opposed with great gallantry. The battle was now maintained on the part of the assailants, by quick and irregular firing, from behind logs, trees, shrubbery, and whatever could afford concealment: behind these, prostrating themselves after firing, and, reloading, they would rise and again discharge their guns. After sustaining their fire in this way for some time, a charge, to dislodge them from their position, was ordered: and the whole line under Colonel Carroll, by a most brilliant and steady movement, broke upon, and threw them into confusion, and they fled precipitately away. The pursuit commenced, and they were overtaken and destroyed in considerable numbers: their loss was great, but never certainly ascertained.

In the mean time, General Coffee had been endeavouring, as far as prudence would permit, to drive the savages on the right from the fastnesses into which they had retired; but finding that this could not be done, without much hazard, and considerable loss, he began to retire towards the place where he had first dismounted. This expedient, designed for stratagem, produced the desired effect. The enemy, inspired by the movement, presuming it a retreat, and to have been adopted in consequence of the severe firing they had heard on the left wing, now forsook their hiding places, and rapidly advanced upon him. That officer immediately availed himself of the opportunity thus afforded, of contending with them again on equal terms; and a severe conflict commenced, and continued about an hour, in which the loss on both sides was nearly equal. At this critical juncture, when several of the detachment had been killed, many wounded, and the whole greatly exhausted with fatigue; a reinforcement despatched by General Jackson, making its appearance on the enemy's left flank, put an end to the contest. General Coffee, although severely wounded, still continued the fight, and availing himself of the arrival of this additional strength, instantly ordered a charge; when the enemy, foreseeing their doom, fled in consternation, and were pursued with dreadful slaughter. It is believed that at this place none



escaped. Thus drew to a close, a day of almost continual fighting.\*

Having buried the dead, and dressed the wounded, preparations were made to guard against an attack at night, should one be attempted; by ordering a breast-work of timber around the encampment; a measure the more necessary, as the spirits of our troops, most of whom had never before been in collision with an enemy, were observed visibly to flag, towards the evening. Indeed, during the night, it was with the utmost difficulty the sentinels could be retained at their posts, who, expecting every minute the appearance of the enemy, would, at the least noise, fire, and run in. The enemy, however, whose spies were around our encampment all night, did not think proper to attack us in this position, and the morning broke without disturbance. The next day, General Jackson, having effected, as he believed, so far as he could, the main objects of the expedition, a diversion in favour of General Floyd, who was, at this juncture, supposed to be carrying on his operations lower down on the Tallapoosa, and the relief of Fort Armstrong, began to think of returning to the Ten Islands. Many reasons concurred to render such a measure proper, and indeed indispensable. He had not set out prepared to make any permanent establishment in advance of this present post; his provisions were growing extremely scarce, and the country itself afforded no means of subsistence, either for his men or their horses. His wounded, many of whom were exceedingly dangerous, required to be speedily taken care of; whilst the present temper of his soldiery precluded all hope that he should be able to effect any thing of material consequence, beyond what had been already accomplished. Besides, if the object were still further to cripple the enemy, this, by commencing a return, which, having the appearance of retreat, would probably induce a pursuit, might be more certainly attained, than by attacking them in their strong holds; in which event, too, the diversion contemplated

\* The Indians had designed to bring on the attack from three different points at the same time; but a party of the Chealegrans, one of the tribes which compose the Creek confederacy, who had been ordered to assail the right extremity of our front line, instead of doing so, thought it more prudent to proceed to their villages, happy to have passed, undiscovered, the point they had been ordered to attack. But for this, the contest might have terminated less advantageously.

would be the more complete, by drawing them in a different direction. Determined by these considerations, Jackson ordered litters to be formed for the transportation of the sick and wounded, and other necessary preparations to be made for a return march. Every thing being ready, it was commenced at ten o'clock the next morning, and continued, without interruption until nearly the close of the evening, when the army was encamped a quarter of a mile on the south side of Enotichopco creek, in a direction to the ford, at which it had been passed in proceeding out.

As it was pretty evident that the enemy had been in pursuit during the day, a breast-work was thrown up, with the utmost expedition, and every arrangement made to repel their attempts, should they meditate an attack, during the course of the night, or on the succeeding morning. The night, however, was permitted to pass away without disturbance, and without any appearance of an enemy. From a knowledge that they had been hanging on his rear during the march of the preceding day, and having suffered the night to wear through without attempting any assault upon his camp, the General was led to conjecture that an ambuscade had been prepared, and that an attack would be made on him whilst crossing the creek in his front; which, being deep, and the banks rugged, and thickly covered with reeds, afforded many advantages for such a design. Near the crossing place, was a deep ravine, formed by the projection of two hills, overgrown with thick shrubbery and brown sedge, which afforded every convenience for concealment, whilst it entirely prevented pursuit. Along this route, the army, in going out, had passed; through it, as might have been expected, it would again return; and at this defile, it was believed, an ambuscade would be formed, if any where intended. Acting under these impressions, and with a view to guard against them, Jackson determined to take a different route. He secretly despatched, early next morning, a few pioneers, to ascertain and designate another crossing place below. A suitable one was presently discovered, at about six hundred yards distance from the old one; and thither the General now led his army; having previously to commencing the march, formed his columns, and the front and rear guards, that he might be in an attitude for defence.

A beautiful slope of open woodland led down to the newly discovered ford, where, except immediately on the

margin of the creek, which was covered with a few reeds, there was nothing to obstruct the view. The front guards, and part of the columns, had passed;—the wounded were also over, and the artillery just entering the creek, when an alarm gun was heard in the rear. The Indians, unexpectedly finding the route changed, quitted the defile where they had expected to commence the assault, and advanced upon a company, under the command of Captain Russell, which marched in the rear. Though assailed by greatly superior numbers, it returned the fire, and gradually retired, until it reached the rear guard, who, according to express instructions given, were, in the event of an attack, to face about, and act as the advance, whilst the right and left columns should be turned on their pivots, so as completely to loop the enemy, and render his destruction sure. The right column of the rear guard was commanded by Colonel Perkins, the left by Lieutenant-Colonel Stump, and the centre column by Colonel Carroll. Jackson was just passing the stream, when the firing and yelling commenced. Having instructed his aid-de-camp to form a line for the protection of the wounded, who were but a short distance in advance, and afterwards to turn the left column, he himself proceeded to the right, for a similar purpose. What was his astonishment, when, resting in the hope of victory, he beheld the right and left columns of the rear guard, after a feeble resistance, precipitately give way, bringing with them confusion and dismay, and entirely obstructing the passage, over which the principal strength of the army was to be re-crossed! This shameful flight was well nigh being attended with the most fatal consequences; which were alone averted by the determined bravery of a few. Nearly the whole of the centre column had followed the example of the other two, and precipitated themselves into the creek; an inconsiderable number remained to oppose the violence of the first assault. The artillery company, commanded by Lieutenant Armstrong, and composed of young men of the first families, who had volunteered their services at the commencement of the campaign, formed with their muskets before the piece of ordnance they had, and hastily dragged it from the creek to an eminence, from which they could use it to advantage. Here an obstinate conflict ensued; the enemy endeavouring to charge and capture it, whilst this company formed with their muskets, and resolutely defended it. These

young men, the few who remained with Colonel Carroll, and the gallant Captain Quarles, who fell at their head, with Russell's spies, not exceeding in the whole one hundred, maintained with the utmost firmness, a contest, for many minutes, against a force five times greater than their own, and checked the advance of a foe already greatly inspirited from the consternation which his first shock had produced. Every man who there fought, manifested a determination to prefer death to flight. The brave Lieutenant Armstrong fell at the side of his piece, by a wound in the groin, and exclaimed, as he lay, "Some of you must perish; but don't lose the gun." By his side, fell, mortally wounded, his associate and friend, Bird Evans, and the gallant Captain Hamilton; who, having been abandoned by his men, at Fort Strother, with his two brothers and his aged father, had attached himself to the artillery company, as a private, and, in that capacity, showed how deservedly he merited to command, by the fidelity with which he obeyed. Perilous as the hour was, this little heroic band evinced themselves cool and collected, as they were brave in battle. In the hurry and confusion of the moment, the rammer and pricker of the cannon could not be disengaged from the carriage; in this situation and at such a time, the invention of most young soldiers might have failed; but nothing fearing, Craven Jackson and Constantine Perkins, drove home the cartridges with a musket, and with the ramrod prepared them for the match. In the mean time, while the conflict was thus unequally sustained, General Jackson and his staff had been enabled, by great exertions, to restore something like order, from confusion. The columns were again formed, and put in motion; and small detachments sent across the creek, to support the little band that there maintained their ground. The enemy perceiving a strong force advancing, and being warmly assailed on their left flank, by Captain Gordon, at the head of his company of spies, who had advanced from the front, and re-crossed the creek, in turn were stricken with alarm, and fled away, leaving behind their blankets, and whatever was likely to retard their flight. Detachments were ordered on the pursuit, who, in a chase of two miles, destroyed many and wholly dispersed them.

In despite of the active exertions made by General Jackson, to restore order, they were, for some time, unavailing,

and the confusion continued. In addition to the assistance received from his staff, who were every where encouraging, and seeking to arrest the disordered flight of the columns, he derived much from the aid of General Coffee. That officer, in consequence of the severe wound lately received at Emuckfaw, had, the day before, been carried on a litter. From the apprehensions indulged, that an attack would probably be made upon them that morning, he had proceeded from the encampment on horseback, and aided, during the action, with his usual calm and deliberate firmness. Indeed, all the officers of his brigade, who, having been abandoned by their men, had formed themselves into a corps, and followed the army without a command, rendered manifest, now, the value of experience. This was not a moment for rules of fancied etiquette. The very men, who, a little time before, would have disdained advice, and spurned an order from any but their own commanders, did not scruple amidst the peril that surrounded them, to be regulated by those who seemed to be so much better qualified for extricating them from their present danger. The hospital surgeon, Dr. Shelby, appeared in the fight, and rendered important services. The adjutant-general, Sitler, hastened across the creek in the early part of the action, to the artillery company, for which he felt all the *esprit de corps*, having been once attached to it; and there remained, supporting them in their duties, and participating in their dangers. Captain Gordon, too, contributed greatly to dispel the peril of the moment, by his active sally on the left flank of the savages. Of the General himself, it is scarcely necessary to remark, that but for him every thing must have gone to ruin. On him all hopes were rested. In that moment of confusion, he was the rallying point even for the spirits of the brave. Firm and energetic, and at the same time perfectly self-possessed, his example and his authority alike contributed to arrest the flying and give confidence to those who maintained their ground. Cowards forgot their panic, and fronted danger, when they heard his voice and beheld his manner; and the brave would have formed round his body a rampart with their own. In the midst of showers of balls, of which he seemed unmindful, he was seen performing the duties of the subordinate officers, rallying the alarmed, halting them in their flight, forming his columns, and inspiring them by his example. An army suddenly

dismayed, and thrown into confusion, was thus happily rescued from a destruction which lately appeared inevitable. Our total loss, in the several engagements, on the 22d and to-day, was only twenty killed, and seventy-five wounded, some of whom, however, afterwards died. That of the enemy cannot be accurately stated. The bodies of one hundred and eighty-nine of their warriors were found; this, however, may be considered as greatly below the real number; nor can their wounded be even conjectured. As had been generally the case, the greatest slaughter was in the pursuit. Scattered through the heights and hollows, many of the wounded escaped, and many of the killed were not ascertained. It is certain however, as was afterwards disclosed by prisoners, that considerably more than two hundred of those, who on this occasion went out to battle, never returned; but those who did return, unwilling it should be known their comrades were killed, and feeling it might dispirit the nation, endeavoured to have it believed, and so represented it, that they had proceeded on some distant expedition, and would be for some time absent.

After this battle, in which had been anticipated certain success, the enemy, tired of conflicts so disastrous, no more thought of harassing our march. Having continued it, without interruption, over high, broken, and, for the most part, barren land, we encamped, on the night of the 26th, within three miles of Fort Strother. Thus terminated an expedition replete with peril, but attended with effects highly beneficial. Fort Armstrong was relieved; General Floyd enabled to gain a victory at Autossee, where, but for this movement, which had diverted much of the enemy's strength, he would most probably have met defeat; a considerable portion of the enemy's best forces had been destroyed; and an end put to the hopes they had founded on our previous delays. Discontent had been kept from our ranks; the troops had been beneficially employed; and inactivity, the bane of every army, had been avoided. But perhaps the greatest good that resulted from the expedition, was the effect produced on the minds of the people at home, from whom was to be collected a force sufficient to terminate the war. Experience has often proved the facility with which numbers are brought to a victorious standard; whilst the ranks of a defeated army are ever with difficulty filled. Any result, therefore, that was calculated

to bring an efficient force into the field, was highly important and beneficial.



## CHAPTER V.

The volunteers are discharged.—New troops arrive.—Want of supplies.—Mutiny with the East Tennessee brigade.—General Jackson marches against the Indians.—Battle of Tohopeaka.—Returns to Fort Williams.—Expedition to Hoithlewalee; its failure, and the causes.—Forms a junction with the Georgia troops, and proceeds to the Hickory ground.—Indians sue for peace.—Weatherford surrenders himself.—Arrival of General Pinckney at head-quarters.—Tennessee troops are ordered to be marched home, and discharged from service.

THE troops having reached, in safety, the post whence they had set out, and their term of service being within a short time of expiring, the General determined to discharge them. The information from Tennessee was, that there would soon be in the field a considerable force, and enlisted for a period sufficient to effect a termination of the Indian war. He was desirous of having every thing in readiness by the time of their arrival, that they might be carried without delay into active service. Detaining his late volunteers, therefore, a short time, to complete boats for the transportation of his camp equipage and provisions down the Coosa, he directed them to be marched home, and there to be honourably dismissed. The further service of his artillery company was also dispensed with. Although he would gladly have retained them, yet he was too well convinced of the many sacrifices these young men had made; of the bravery they had displayed, and the patience with which they had submitted to those moments of scarcity that had raised up discontents and mutiny in his camp, not to feel a desire to gratify their wishes, and permit them, honourably, to retire from a service, which they had already so materially benefited.

A letter from Jackson to Governor Blount, heretofore noticed, added to his own sense of the importance of the crisis, had induced him to issue an order on the 3d, directing twenty-five hundred of the militia of the second

division, to be detached, organized, and equipped, in conformity to an act of Congress of the 6th of April, 1812. These were to perform a tour of three months, to be computed from the time of rendezvous, which was appointed to be on the 28th instant. He had also required General Cocke to bring into the field, under the requisition of the secretary of war, the quota he had been instructed to raise at the opening of the campaign. Although many difficulties had been feigned in the execution of the order, he was enabled to muster into service, from his division, about two thousand men. These, however, as well as those called out from West Tennessee, were but indifferently armed.

The thirty-ninth regiment of regular troops, had also received orders to proceed to Jackson's head-quarters, and act under his command in the prosecution of the war. It arrived on the 5th or 6th of the month, about six hundred strong. Most of the men were badly armed; this evil, however, was shortly afterwards remedied.

The quarter-masters and contractors were already actively engaged, endeavouring to procure provisions and the necessary transportation for the army. The failures, in regard to former enterprises, are to be ascribed to these two departments; to the constant endeavour of the contractors to procure provisions at a reduced price, in order to enhance their profits, and to fears entertained, lest, if they should lay in any large supply it might spoil or waste on their hands. Evils of this kind, growing out of the very nature of the establishment, ought, long since, to have convinced the government of the propriety of resorting to some other and better mode for supplying its armies in times of war. The inconveniences in the quarter-master's department, were, indeed, less chargeable to the incumbents than to causes which they could not control; for, to the extreme ruggedness of the way over which wagons had to pass, was to be added the real difficulty of obtaining a sufficient number on the frontiers. That evils so severely felt, might, for the future, be avoided, every facility was afforded these two departments, that the requisition now made upon them might be promptly complied with.

To give, however, sufficient time, and to prevent any unnecessary press, the troops advancing from East and West Tennessee, were directed to be halted in the rear of



the depots, until ample stores, in advance, to justify immediate operations, should be provided, and the requisite transportations procured.

About the middle of the month, (March) in expectation from the numerous and strong assurances he had received, that all things were in a state of readiness, Jackson ordered the troops to advance, and form a union at headquarters, then at Fort Strother. Greatly to his surprise and mortification, he soon after learned that the contractor from East Tennessee had again failed to comply with his engagement, notwithstanding the ample means he possessed, and the full time that had been allowed him for that purpose. The troops, however, agreeably to the order received, proceeded on their march. Those from the second division, under Brigadier-General Johnson, arrived on the 14th; which, added to the force under General Doherty, from East Tennessee, constituted about five thousand effectives. Composed, as this army was, of troops entirely raw, it was not to be expected that any thing short of the greatest firmness in its officers could restrain that course of conduct and disorder which had hitherto so unhappily prevailed.

The execution of a private (John Woods,) sentenced by a court martial, on a charge of mutiny, produced at this time some excitement, and a salutary effect. On a similar charge he had before been found guilty, and pardoned. That mutinous spirit, so prejudicial to an army, and which frequently had broken into the camp, was necessary to be checked. This second offence, in the same individual, afforded a fit occasion for example; and to evince, that although militia when at their fire sides at home, might boast exemption from control, yet in the field those high notions were to be abandoned and subordination preserved. Painful as it was to the feelings of General Jackson, he viewed it as a sacrifice essential to the preservation of good order, and left the sentence of the court to be inflicted without interposing his pardoning power.

Nothing was wanting now to put the troops in motion, and actively to prosecute the war, but the want of necessary supplies. Remonstrance, entreaty, and threats, had long since been used and exhausted. Every mean had been resorted to, to impress on the minds of the contractors, the necessity of urging forward in faithful discharge of their duty; but the same indifference and

neglect were still persisted in. To ward off the effects of such great evils—evils which he foresaw must again eventuate in discontent and revolt, Jackson resolved to pursue a different course, and no longer depend on persons who had so frequently disappointed him, and whose only object was the acquirement of wealth. He accordingly despatched messengers to the nearest settlements, with directions to purchase provisions, at whatever price they could be procured. This course, to those incumbents, afforded an argument infinitely stronger than any to which he had before resorted. Unexpectedly assailed in a way they had not previously thought of, by being held and made liable for the amount of purchases, which by their neglect was rendered necessary, they exerted themselves in discharge of a duty they had hitherto so shamefully neglected. Every expedient had been practised to urge them to a compliance of the obligations they were under to their government; until the present, none had proved effectual. In one of his letters, about this time, the General remarks: "I have no doubt but a combination has been formed to defeat the objects of the campaign; but the contractor ought to have recollected that he had disappointed and starved my army once; and now, in return, it shall be amply provided for at his expense. At this point he was to have delivered the rations—and whatever they may cost, at this place, he will be required to pay: any price that will ensure their delivery, I have directed to be given." The supplying an army by contractors, he had often objected to as highly exceptionable and dangerous. His monitor, on this subject, was his own experience. Disappointment, mutiny, and abandonment by his troops, when in the full career of success, and an unnecessarily protracted campaign, were among the evils already experienced, and which he desired, if possible, might be in future avoided. The difficulties—the perplexities he had met; and the constant dissatisfaction which had rendered his troops inefficient, were wholly to be attributed to those, who, in disregard of the public good, had looked alone to their own immediate benefit. It was high time that the feelings and interest of such men should be disregarded, and a sense of duty enforced, by that sort of appeal which sordid minds best can understand—an appeal to profit and the purse.

Under these and other circumstances, which seemed to involve the most serious consequences, the General had

but little time for repose or quietness. Every thing was moving in opposition to his wishes. The East Tennessee brigade, under the command of Doherty, having been instructed to halt, until adequate supplies should be received at head-quarters, had already manifested many symptoms of revolt, and with difficulty was restrained from abandoning the field, and returning immediately home. Added to their own discontents, and unwillingness to remain in service, much pains had been taken by a personage high in authority, to scatter dissention, and to persuade them that they had been improperly called out, and without sufficient authority,—that the draft was illegal, and that they were under no necessity to remain. Arguments like these, when urged by a man of standing and in office, were well calculated to answer the end desired; what the governing motive was, that gave rise to a course of conduct so much at war with the public interest, and the duty of a soldier, is difficult to be imagined; none was ever avowed, and certainly none can be offered that will account for it satisfactorily. On the morning that General Doherty was about to proceed to head-quarters, he was astonished to hear the drums beating, for volunteers, to abandon his camp and return home. Notwithstanding all efforts to prevent this injurious measure, one hundred and eighty deserted. He was surprised, on receiving information in which he confided, that instructions by General Cocke, had been given, that in the event any number of the troops would march back, he would take upon himself to discharge them from all responsibility on their return to Knoxville.

General Jackson, having at length, by constant and unremitted exertions, obtained such supplies as he believed, would be necessary to enable him to proceed, determined to set out and pursue his course still further into the enemy's country. A fear of the consequences to an army from inaction; a wish that time might not be loitered away uselessly; and a consciousness that a sufficiency of provisions was on the way, and could be forwarded to him from the post maintained in his rear, prompted him to do so. On the 14th he commenced his march, and crossing the river, arrived on the 21st at the mouth of Cedar creek, which had been previously selected for the establishment of a fort. At this place it became necessary to delay a day or two, with a view to detail a sufficient

force for the protection and safety of the post, and to await the coming of the provision boats which were descending the Coosa, and which, as yet, had not arrived.

On the 22d of January, the day of the battle of Emuckfaw, General Coffee, as has been already stated, had been detached to destroy the Indian encampment on the Tallapoosa; having reconnoitred their position, and believing them too strongly posted to be advantageously assailed by the force which he then commanded, he had retired without making the attempt. The position they had chosen was at a bend of the Tallapoosa, called by the Indians Tohopeaka, which interpreted into our language, means Horse Shoe, not far from New Youcka, and near the Oakfuskus villages. Fortified as it was by nature, and the skill and exertions of the savages, no other conjecture was entertained, than at this place was intended a defence of the most desperate and determined kind. Learning that the Indians were still embodied there, Jackson resolved, so soon as the necessary arrangements could be made to keep open a communication, and preserve in safety his rear, to make a descent on it, and destroy the confederacy; thence, returning to Fort Williams for provisions, to urge forward to the Hickory ground, where he hoped he would be able finally to terminate the war.

On the 24th March, leaving a sufficient force under Brigadier-General Johnston for the protection of the post, with eight days' provisions he left Fort Williams and set out for the Tallapoosa, by the way of Emuckfaw. His whole force amounted to less than three thousand effective men; being considerably reduced by the necessity of leaving behind him detachments for garrisons at the different forts. At ten o'clock on the morning of the 27th, after a march of fifty-two miles, he reached the village Tohopeaka. The enemy, having gained intelligence of his approach, had collected in considerable numbers, with a view to give him battle. The warriors from the adjacent towns, Oakfuskus, Hillabee, Eufalee, and New Youcka, amounting to a thousand or twelve hundred, were here collected ready, and waiting his approach. They could have selected no place better calculated for defence; for, independent of the advantages bestowed on it by nature, their own exertions had greatly contributed to its strength. Surrounded almost entirely by the river, it was accessible only by a narrow neck of land, of three hundred and fifty

yards width, which they had taken much pains to secure and defend, by placing large timbers and trunks of trees horizontally on each other, leaving but a single place of entrance. From a double row of port holes formed in it, they were enabled to give complete direction to their fire, whilst they lay in perfect security behind.

General Coffee, at the head of the mounted infantry and friendly Indians, had been despatched early in the morning from camp, with orders to gain the southern bank of the river, encircle the bend, and make some feint, or manœuvring, by which to divert the enemy from the point where the attack was intended principally to be waged. He was particularly instructed so to arrange and dispose the force under his command, that the savages might not escape by passing to the opposite side in their canoes, with which, it was represented, the whole shore was lined. Jackson, with the rest of the army, proceeded to take a position in front of the breast-work. Having planted his cannon on an eminence, about two hundred yards from the front of the enemy's line, with a view to break down his defence, a brisk fire commenced. The musketry and rifles, which occupied a nearer position, were used as the Indians occasionally showed themselves from behind their works. The artillery was well served by Major Bradford, and the fire kept up for some minutes without making any impression; time, however, was gained for complete readiness. The signals having now announced that General Coffee had reached in safety his point of destination, on the opposite side of the river, had formed his line, and was ready to act, the order was given to charge. "Never were troops more eager to be led on than were both regulars and militia. They had been waiting with impatience for the order, and hailed it with acclamations. The spirit that animated them was a sure augury of the success that was to follow." Between them there was no difference; both advanced with the intrepidity and firmness of veteran soldiers. The thirty-ninth regiment, led on by their commander, Colonel Williams, and the brave but ill-fated Major Montgomery, and the militia under the command of Colonel Bunch, moved forward amidst a destructive fire that continually poured upon them, and were presently at the rampart. Here an obstinate and destructive conflict ensued, each contending for the port holes, on different sides. Many of the enemy's balls were welded between the muskets and bayonets of

our soldiers. At this moment, Major Montgomery, leaping on the wall, called to his men to mount and follow him; he had scarcely spoken when, shot through the head, he fell lifeless to the ground. Our troops eagerly followed the example he had set and scaled their ramparts. Finding it no longer tenable, the savages abandoned their position, and retiring from their works concealed themselves amidst the brush and timber that lay thickly scattered over the peninsula; whence they continued resistance, and kept up a galling and constant fire, until they were again charged, and forced back. Driven to despair, not knowing whither to flee, and resolving not to surrender, they saw no other alternative, than an effort to effect their escape, by passing in their canoes to the opposite bank of the river; from this they were, however, prevented, by perceiving that a part of the army already lined the opposite shore. Under these circumstances, the remaining warriors, who yet survived the severity of the conflict, betaking themselves to flight, leaped down the banks, and concealed themselves along the cliffs and steepes, which were covered by the trees that had been felled from their margin. Many had betaken themselves to the west angle of their line of defence, where, under cover and protection of heaps of brush, a spirited fire was kept up upon those of our troops who had gained their line, and those who were advancing on the outer side. From these secreted places they would fire and disappear. General Jackson perceiving that further resistance must involve them in utter destruction; and entertaining a desire that they should yield a contest which now evidently was a hopeless one, ordered the interpreter to advance with a flag, under cover of some trees which stood in front, until he should reach a position sufficiently near to be heard. He did so, and having arrived within forty yards of the spot where the Indians were concealed, in an audible voice, and in their own language, addressed them; told them of the folly of further resistance, and that he was commanded by General Jackson to say, that if disposed to surrender, they should be received and treated as prisoners. They waited patiently until he had finished, and heard what he had to say;—a pause ensued! and at the moment when he was expecting to receive an answer, and to learn that a surrender would at once be made, a fire was opened upon the flag, and the interpreter severely wounded in the breast.

Finding they would not yield, nor abandon the course of desperation on which they had resolutely fixed their minds, orders were given to dislodge them. To accomplish this the artillery was first turned against them; but being from its size incapable of producing any effect, a charge was made, in which several valuable lives were lost; it however succeeded, and the enemy were dislodged from their covert place on the right angle of their line of defence. Lighted torches were now thrown down the steep, which, communicating with the brush and trees, and setting them on fire, drove them from their hiding places and brought them to view. Still did they refuse to surrender, and still maintained the conflict. Thus the carnage continued until night separated the combatants, when the few misguided savages who had avoided the havoc and slaughter of the day, were enabled, through the darkness of the night, to make their escape.

Whilst the attack was thus waged in front of the line, the friendly Indians in general Coffee's detachment, under the command of colonel Morgan, with captain Russell's company of spies, were effecting much; and no doubt, to the course pursued by them, on the opposite side, was greatly owing the facility with which the breast-work was scaled, and its possession obtained. The village stood on the margin of the river, and on that part of the peninsula most remote from the fortification. At the line were all their warriors collected. Several of the Cherokees and Russell's spies having swam across, unobserved, and procured their canoes, a considerable number passed over, entered the town, and fired it. No sooner was this discovered, than their attention and opposition was necessarily divided, and drawn to the protection of a point which they had hitherto believed secure, and where they had not apprehended an attack. Thus assailed from an unexpected quarter—a force in their rear, and another still stronger, advancing on their front, the invading army was afforded a less hazardous opportunity of succeeding in the assault and securing the victory.

This battle gave a death blow to their hopes; nor did they venture, afterwards, to make a stand. From their fastnesses in the woods they had tried their strength, agreeably to their accustomed mode of warfare; in ambuscade, had brought on the attack; and, in all, failure and disaster had been met. None of the advantages incident

on surprise, and for which the red men of our forests have been always so characterized, had they been able to obtain. The continual defeats they had received, were, doubtless, the reason of their having so strongly fortified this place, where they had determined to perish or to be victorious. That such a resolution had been taken, is conclusive, from the circumstance of their having permitted their women and children to remain: these they are always careful to remove far from danger, and their scenes of action. The assurance of success which they indulged, arising from the security their position and defence presented, had prevented their adhering to this precautionary measure, which, hitherto, they had never overlooked. In this action, the best and bravest of their warriors were destroyed; and a greater loss was sustained than had been met with in any of their previous contests. Few escaped the carnage. Of the killed, many by their friends were thrown into the river, whilst the battle raged;—many, in endeavouring to pass it, were sunk by the steady fire of Coffee's brigade; and five hundred and fifty-seven were left dead on the ground. Among the number of the slain, were three of their prophets. Decorated in the most fantastic manner—the plumage of various birds about their heads and shoulders; with savage grimaces, and horrid contortions of the body, they danced and howled their cantations to the sun. Their dependents already believed a communion with heaven sure, which, moved by entreaty, and their offered homage, would aid them in the conflict, and give a triumph to their arms. Fear had no influence; and when they beheld our army approaching, and already scaling their line of defence, even then, far from being dispirited, hope survived, and victory was still anticipated. Monohoe, one of the most considerable of their inspired ones, and who had cheered and kept alive the broken spirit of the nation by his pretended divinations, fell, mortally wounded, by a cannon shot in the mouth, while earnestly engaged in his incantations, and in urging and encouraging his troops resolutely to contend.

Three hundred prisoners were taken, most of whom were women and children. That so few warriors should have sought and obtained safety, by appealing to the clemency of the victors, to persons acquainted with the mode of Indian warfare will not appear a matter of surprise. It seldom happens that they extend or solicit quar-



ter: faithless themselves, they place no reliance on the faith of others; and, when overcome in battle, seek no other protection than dexterity and haste in retreat afford. In this contest they maintained resistance, fighting and firing from their covert places, long after the hope either of success or escape was, or should have been at an end, and after the proposal had been submitted to spare the further useless waste of blood. A few, who had lain quiet, and concealed under the cliffs, survived the severity of the conflict, and effected their retreat under cover of the night.

Our loss, although considerable, was small, when compared with that of the enemy; the whole estimate was but fifty-five killed, and one hundred and forty-six wounded. Of the former was major Montgomery, a brave and enterprising young officer, of the thirty-ninth regiment, and lieutenants Moulton and Somerville, who fell early in the action.

The object of the present visit being answered, the general, in pursuance of the plan with which he had set out, concluded to return to Fort Williams. Having sunk his dead in the river, to prevent their being scalped by the savages, and made the necessary arrangements for carrying off his wounded, he commenced his return march for the fort, and in a few days reached it in safety.\*

His first object, on his arrival, was to excite, in the breasts of his soldiers, a sense of pride commensurate with the achievements they had performed, and the valour they had displayed. He was impelled to it from a consciousness that feeling, once subsided, could with difficulty

\* Sinking them in the river, in preference to burying them, was adopted, from the consideration, that those of our troops who had previously fallen, had been raised, stripped, and scalped. Many of the Indians at Tohopeka were found in the clothes of those who had been killed and buried at Emuckfaw. This could operate no injury to the dead; yet was it important, that for the future this should be prevented. It was well ascertained, that the Creek nation, generally, were ignorant of the extent and number of their defeats; and so long as they could be induced to believe, by those who undertook to account for it in that way, that their missing warriors were alive, and on some distant enterprise; or could see the scalps of the killed, which they always consider evidences of victory, the war would continue. It was thought, therefore, better to sink them in the river than to bury them, as the enemy would be thereby deprived of those badges of national and individual distinction, the effect of which would be to shorten the period of the war.

be again aroused; and from a desire to ward off that despondency from his ranks which had once proved so fatal to his hopes. With a view to these objects, the next day on parade, before the fort, he published to them this address:

"You have entitled yourselves to the gratitude of your country and your general. The expedition, from which you have just returned, has, by your good conduct, been rendered prosperous, beyond any example in the history of our warfare: it has redeemed the character of your state, and of that description of troops of which the greater part of you are.

"You have, within a few days, opened your way to the Tallapoosa, and destroyed a confederacy of the enemy, ferocious by nature, and who had grown insolent from impunity. Relying on their numbers, the security of their situation, and the assurances of their prophets, they derided our approach, and already exulted in anticipation of the victory they expected to obtain. But they were ignorant of the influence and effect of government on the human powers, nor knew what brave men, and civilized, could effect. By their yells, they hoped to frighten us, and with their wooden fortifications to oppose us. Stupid mortals! their yells but designated their situation the more certainly; whilst their walls became a snare for their own destruction. So will it ever be, when presumption and ignorance contend against bravery and prudence.

"The fiends of the Tallapoosa will no longer murder our women and children, or disturb the quiet of our borders. Their midnight flambeaux will no more illumine their council-house, or shine upon the victim of their infernal orgies. In their places, a new generation will arise, who will know their duty better. The weapons of warfare will be exchanged for the utensils of husbandry; and the wilderness, which now withers in sterility, and mourns the desolation which overspreads her, will blossom as the rose, and become the nursery of the arts. But before this happy day can arrive, other chastisements remain to be inflicted. It is indeed lamentable, that the path to peace should lead through blood, and over the bodies of the slain: but it is a dispensation of Providence, and perhaps a wise one, to inflict partial evils, that ultimate good may be produced.

"Our enemies are not sufficiently humbled,—they do

not sue for peace. A collection of them await our approach, and remain to be dispersed. Buried in ignorance, and seduced by the false pretences of their prophets, they have the weakness to believe they will still be able to make a decided stand against us. They must be undeceived, and made to atone their obstinacy and their crimes, by still further suffering. Those hopes which have so long deluded them, must be driven from their last refuge. They must be made to know, that their prophets are impostors, and that our strength is mighty, and will prevail. Then, and not till then, may we expect to make with them a peace that shall be permanent."

Understanding that the enemy was embodied, in considerable numbers, at Hoithlewalee, a town situated not far from the Hickory ground, he was anxious to re-commence his operations as early as possible, that the advantages he had gained, and the impression he had made, might not be lost. The forces under his command, from sickness, the loss which had been sustained in the late battle, and numerous discharges given, had been too much reduced in strength, to permit him to act as efficiently as the importance of the crisis required. It was desirable, therefore, to effect a junction with the southern army as speedily as possible, that, from an increase and concentration of his numbers, greater efficiency might be had. The North Carolina troops, under the command of general Graham, an experienced officer of the revolutionary war, and those of Georgia, under colonel Milton, were ascertained to be somewhere south of the Tallapoosa, and could be at no great distance. To unite with them was a circumstance greatly desired, as well with a view to push his operations more actively, as to be able to procure for the army those supplies which he feared the resources within his own camp might not sufficiently afford; for hitherto, he had received from General Pinckney strong assurances that all complaints on this subject would be at an end so soon as his and the southern division could unite. No time was to be lost in effecting a purpose so essential. General Jackson accordingly determined to leave his sick and wounded, and the fort, to the care and command of brigadier Johnson, and to set out again for the Tallapoosa. On the 7th, with all his disposable force, he commenced his march, with the double view of effecting a union with the army below, and of attacking on his route the enemy's

force which were collected at Hoithlewalee. His greatest difficulty was in conveying to Colonel Milton intelligence of his intended operations. The friendly Indians, who, from their knowledge of the country, had been always selected as expresses, were with difficulty to be prevailed on now for any such undertaking. Believing their nation to be embodied in larger numbers than any which had been yet encountered, and that, confiding in their strength, they would be better enabled to go forth, searching and spying through the surrounding country, they at once concluded that any enterprise of this kind would be attended with too great peril and danger, and the difficulty of eluding observation too much increased, for them to adventure. This circumstance had as yet prevented the arrangement of such measures as were best calculated to bring the different divisions to act in general concert. The necessity, however, of such co-operation, was too important, at this moment, not to be effected, if it were possible. Should it be possible, at the point they now occupied, to bring the enemy to battle, and a decisive advantage to be obtained over them, dispirited and broken, they might be induced to submit to any terms, and the conflict be ended; but if suffered to escape, they might again collect, give battle at some fortunate and unexpected moment, and thereby protract the war a considerable time. To prevent this was desirable; and in no other way could it so certainly be effected, than that while the Tennessee troops under the command of Jackson advanced from the north, the Carolinians and Georgians might make such a disposition as would prevent any escape of the enemy, by their crossing the river, and passing off in the direction of Pensacola and the Escambia.

Having at length succeeded in procuring confidential messengers, previously to setting out on this expedition, Jackson addressed Colonel Milton, and advised him of his intended movement. To guard against any accident or failure that might happen, different expresses were despatched, by different routes. He informed him, that with eight days' provisions, and a force of about two thousand men, he should, on the 7th, take up the line of march, and proceed directly for Hoithlewalee; which he expected certainly to reach and attack on the 11th. He urged the necessity of a proper concert being established in their movements; and either that he should proceed against the

same place, about the same time, or, by making some favourable diversion in the neighbourhood, contribute to the successful accomplishment of the objects of the expedition.

The point of destination, owing to the torrents of rain which had fallen, and raised the streams to considerable heights, he was not able to reach until the 13th. This delay, unavoidable, and not to be prevented, gave the Indians an opportunity of fleeing from the threatened danger. On arriving at an usually inconsiderable stream which skirted the town, it was so swollen as to be rendered impassable. The savages, gaining intelligence of an approach that was thus unavoidably retarded, were enabled to effect an escape by passing the river in their canoes, and gaining the opposite shore. Had Colonel Milton fortunately made a different disposition of the troops under his command, and by guarding the southern bank of the river, co-operated with the Tennessee division, their escape would have been prevented, and the whole force, collected, either have been destroyed or made prisoners. Although Jackson, in his letter of the 5th, had given intelligence that he would reach the enemy on the 11th; and when prevented by high waters and rotten roads, had again notified him that he would certainly arrive and commence the attack by the morning of the 13th, and urged him to guard the south bank of the Tallapoosa, still was the request disregarded, and the savages permitted to escape. Learning they were abandoning their position, and seeking safety in flight, Jackson filed to the right, and overtaking the rear of the fugitives, succeeded in making twenty-five prisoners. At this time, nothing was heard of Colonel Milton; but on the same day, having marched about five miles from his encampment at Fort Decatur, and approached within four of Hoithlewalee, he, the next morning, gave notice of an intention to attack the village that day; at this moment the inhabitants and warriors had fled, and the town was occupied and partly destroyed by a detachment from Jackson's army that had succeeded in passing the creek.

The Georgia army being so near at hand, was a source of some satisfaction, although the escape of the enemy had rendered their presence of less importance than it otherwise would have been. The stock of provisions, with which the march had been commenced from Fort Wil-

liams, was now nearly exhausted. Assurances, however, having been so repeatedly given, that abundant supplies would be had on uniting with the southern army, and that event being now so near at hand, all uneasiness upon the subject was at once dispelled. Colonel Milton was immediately applied to, the situation of the army disclosed, and such aid as he could extend, solicited. He returned an answer to the General's demand, observing, he had sent provisions for the friendly Indians, and would, the next day, *lend* some for the remainder of the troops; but felt himself under no obligation to furnish any. Jackson, fully satisfied of its being in his power to relieve him, and that this apparent unwillingness did not, and could not proceed from any scarcity in his camp, assumed a higher ground, and instead of asking assistance, now demanded it. He stated, that his men were destitute of supplies, and that he had been duly apprised of it; and concluded by ordering, not requesting, him to send five thousand rations immediately, for present relief; and for himself and the forces under his command, to join him at Hoithlewalee by ten o'clock the next day. "This order," he remarked, "must be obeyed without hesitation."—It was obeyed. The next day, a junction having been effected, the necessary steps were taken to bring down the provisions deposited at Fort Decatur, and for the first time, since the commencement of the Creek war, inconveniencies for the want of supplies, and an apprehension of suffering, were removed.

Appearances seemed now to warrant the belief, that the war would not be of much longer continuance; the principal chiefs of the Hickory ground tribes were coming in, making professions of friendship, and giving assurances of their being no longer disposed to continue hostilities. The General had been met, on his late march, by a flag from these clans, giving information of their disposition to be at peace. In return, they received this answer; that those of the war party who were desirous of putting an end to the contest in which they were engaged, and of becoming friendly, should evince their intention of doing so by retiring in the rear of the army, and settling themselves to the north of Fort Williams; that no other proof than this, of their pacific dispositions, would be received. Fourteen chiefs of these tribes had arrived, to furnish still further evidence of their desire for peace. They as-

sured, the General that their old king, Fous-hatchee, was anxious to be permitted to visit him in person, and was then on his way, with his followers, to settle above Fort Williams, agreeably to the information he had received.

Detachments were out scouring the country to the south, with orders to break up any collection of the enemy that might be heard of in convenient distance. The main body was prepared to advance to the junction of the two rivers, where, until now, it had been expected the Indians would make a last and desperate stand.\* Every thing was in readiness to proceed on the march, when it was announced to the General, that Colonel Milton's brigade, which had lately united with him, was not in a situation to move. During the previous night some of his wagon horses having strayed off, persons had been sent in pursuit, and were expected shortly to return with them; when, it was reported, he would be ready to take up the line of march. To Jackson, this was a reason for delaying the operations of an army, which he had never learned, and by which he had never been influenced. He had, indeed, been frequently made to halt, though from very different causes; from murmurs, discontents, and starvation in his camp. He replied to the colonel's want of preparation, by telling him, that in the progress of his own difficulties, he had discovered a very excellent mode of expediting wagons, even without horses; and that if he would detail twenty men from his brigade, for every wagon deficient in horses, he would guarantee their safe arrival at their place of destination. Rather than subject his men to such drudgery, he preferred to dismount some of his dragoons, and thus avoided the necessity of halting the army until his lost teams should arrive.

The army continued its march without gaining intelligence of any embodied forces of the enemy; and without the happening of any thing of importance, reached old Toulossee Fort, on the Coosa river, not far from the confluence, at which another was determined to be erected,

\* The Hickory ground, or that part of the Creek nation lying in the forks, near where the Coosa and Tallapoosa unite, was called by the Indians *Holy Ground*, from a tradition prevailing among them, that it never had been pressed by the foot of a white man. Acting under the influence of their prophets, and a religious fanaticism, it was supposed they would make greater exertions to defend this than any other portion of their country.

to be called Fort Jackson, after the commanding general. Here the rivers approach within one hundred poles of each other, and, again diverging, unite six miles below. At this place, the chiefs of the different tribes were daily arriving, and offering to submit on any terms. They all concurred in their statements, that those of the hostile party who were still opposed to asking for peace, had fled from the nation, and sought refuge along the coast of Florida, and in Pensacola. General Jackson renewed the declaration, which he had previously made to them; that they could find safety in no other way, than by repairing to the section of country already pointed out to them; where they might be quiet and free of any sort of molestation.

To put their friendly professions, which he distrusted, at once to the test, he directed them to bring Weatherford to his camp, confined, that he might be dealt with as he deserved. He was one of the first chiefs of the nation, and had been a principal actor in the butchery at Fort Mimms. Justice well demanded retaliation against him. Learning from the chiefs, on their return, what had been required of them by Jackson, he was prevailed upon, as perhaps the safer course, to proceed to his camp, and make a voluntary surrender of himself. Having reached it, without being known, and obtained admission to the General's quarters, he fearlessly stood in his presence and told him he was Weatherford, the chief who had commanded at fort Mimms, and, that desiring peace for himself and for his people, had come to ask it. Somewhat surprised that one who so richly merited punishment should so sternly demand the protection which had been extended to others, Jackson replied to him, that he was astonished he should venture to appear in his presence; that he was not ignorant of his having been at Fort Mimms, nor of his inhuman conduct there, for which he well deserved to die. "I had directed," continued he, "that you should be brought to me confined; and had you appeared in this way, I should have known how to have treated you." Weatherford replied, "I am in your power—do with me as you please. I am a soldier. I have done the white people all the harm I could; I have fought them, and fought them bravely: if I had an army, I would yet fight, and contend to the last: but I have none; my people are all gone. I can now do no more than weep over the misfortunes of my nation." Pleased at



the firm and high-toned manner of this child of the forest, Jackson informed him, that he did not solicit him to lay down his arms, or to become peaceable: "The terms on which your nation can be saved, and peace restored, has already been disclosed: in this way, and none other, can you obtain safety." If, however, he desired still to continue the war, and felt himself prepared to meet the consequences, although he was then completely in his power, no advantage should be taken of that circumstance; that he was at perfect liberty to retire, and unite himself with the war party, if he pleased; but when taken, his life should pay the forfeit of his crimes; if this were not desired, he might remain where he was, and be protected.

Nothing dismayed, Weatherford answered, he desired peace, that his nation might, in some measure, be relieved from their sufferings; that, independent of other misfortunes, growing out of a state of war, their cattle and grain were all wasted and destroyed, and their women and children left destitute of provisions. "But," continued he, "I may be well addressed in such language now. There was a time when I had a choice, and could have answered you: I have none now—even hope has ended. Once I could animate my warriors to battle; but I cannot animate the dead. My warriors can no longer hear my voice: their bones are at Talladega, Tallushatchee, Emuckfaw, and Tohopeaka. I have not surrendered myself thoughtlessly. Whilst there were chances of success, I never left my post, nor supplicated peace. But my people are gone, and I now ask it for my nation, and for myself. On the miseries and misfortunes brought upon my country, I look back with deepest sorrow, and wish to avert still greater calamities. If I had been left to contend with the Georgia army, I would have raised my corn on one bank of the river, and fought them on the other; but your people have destroyed my nation. You are a brave man: I rely upon your generosity. You will exact no terms of a conquered people but such as they should accede to: whatever they may be, it would now be madness and folly to oppose. If they are opposed, you shall find me amongst the sternest enforcers of obedience. Those who would still hold out, can be influenced only by a mean spirit of revenge; and to this they must not, and shall not sacrifice the last remnant of their country. You have told our nation where we

might go, and be safe. This is good talk, and they ought to listen to it. They shall listen to it."

The earnestness and bold independence of his conduct left no doubt of the sincerity of his professions, and full confidence was reposed in his declarations. The peace party became reconciled to him, and consented to bury all previous animosities. In a few days afterwards, having obtained permission, he set out from camp, accompanied by a small party, to search through the forest for his followers and friends, and persuade them to give up a contest, in which hope seemed to be at an end, that by timely submission, they might save their nation from further disasters.

The present was a favourable moment for preventing all further opposition. The enemy, alarmed and panic struck, were dispersed, and fleeing in different directions. To keep alive apprehension, and prevent their recovering from the fears with which they were now agitated, was of the utmost importance. If time were given them to rally, and form further resolutions, some plan of operation might be concerted; and although it might not be productive of any serious or alarming consequences, yet it might have a tendency to protract the war, and involve those deluded people in still greater wretchedness. Detachments, sufficiently strong, were accordingly ordered out, to range through the country, prevent their collecting at any point, and to scatter and destroy any who might be found concerting offensive operations. Wherever they directed their course, submission, and an anxious desire for peace, were manifested by the natives. Those who were still resolved upon a continuance of the war, and trusted for relief to the aid which by their British allies was promised, and which they had been for some time expecting, had retired out of the country towards the sea coast, not doubting but the assistance looked for would shortly arrive, enable them to re-commence hostilities with better hopes of success, and regain their country, which they now considered lost. Many of the chiefs and warriors, looking to the defeats they had continually met with in all their battles, viewing it as impracticable with any expectation of better fortune, to resist the numerous forces that were collecting, and threatening at different points, and anxious to have spared to them yet a portion of their country, determined to discard all ideas of further resistance, and to

throw themselves for safety on the mercy of their conquerors. To this end, the chief men, from the different tribes, were daily arriving, and asking for peace, on condition only, that their lives might be spared.

General Jackson was not ignorant of the faithlessness of these people, and how little confidence was to be reposed in the professions of an enemy, who, prompted by fear, could be controlled by its influence only whilst those fears were continued. He well knew they had been too severely chastised for their friendship or promises to be implicitly relied on, and too much injured not to feel a disposition to renew the conflict with the first flattering hope that dawned. Too many difficulties had been encountered, and too many dangers overcome, in bringing those savages to a sense of duty, to leave them now with no better security than mere professions. Some arrangement was necessary to be made, that should prove lasting, and ensure certainty. None seemed better calculated for these ends, than what had been already announced; that those disposed to throw away the war club, and renew their friendly relations with the United States, should retire in rear of the advance of the army, and occupy the country about the fort he had established, and east of the Coosa river. The effect of such an arrangement, it was calculated, would be this; that by the line of posts already established, he would be able to cut them off from any communication with Florida; while, by being placed in that part of the nation inhabited by the friendly Indians, whose fidelity was not doubted, the earliest intelligence would be had of their hostile intentions, should any be manifested. The conditions proposed were most cheerfully accepted: and the different tribes forthwith sat out to occupy a portion of their country, which alone seemed to promise protection and safety. Proctor, the chief of the Owewoha war towns, to whom this promised security from danger had first been made, was reported to be still at home, and to have abandoned all intention of removing, in consequence of permission extended by the United States' agent to the Creeks, for him and his warriors to remain where they were. On receiving this information, the General despatched a messenger, with information, that whether he or the agent were to be obeyed, was for him to decide; but that he should treat as enemies all who did not immediately retire to the section of country which had been pointed out.

The chief of Owewoha found no difficulty in deciding the question, and without delay prepared to retire where he had been previously ordered.

By the establishment of Fort Jackson, a line of posts was now formed from Tennessee and from Georgia to the Alabama river. The subdued spirit of the Indians clearly manifesting that they were sincere in their desire for peace, nothing remained to be done but to arrange and organize the different garrisons in such a manner, that should any hostile intention be hereafter discovered, it might be suppressed before it could assume any very threatening aspect. What final steps should be taken, and what plans adopted, for permanent security, were to be deferred for the arrival of Major-general Pinckney, who, being in the neighbourhood, would, it was expected, on the next day reach Fort Jackson.

On the 20th General Pinckney arrived, and assumed, in person, the command of the army. The course pursued by Jackson, towards satisfying the Indians, that to be peaceable was all that was required of them; meeting his approbation, and understanding that the chiefs and warriors of the nation were retiring, with their families, whither they had been directed to go, he was satisfied hostilities must now cease. Independent of professions, heretofore made, much of the property plundered at Fort Mimms, and along the frontiers, having been brought in and delivered, no doubt was entertained but that all further national opposition would be withdrawn. There being no necessity, therefore, for maintaining an army longer in the field, orders were issued, on the 21st April, for the troops from Tennessee to be marched home and discharged; taking care, on the route, to leave a sufficient force for garrisoning and protecting the posts already established.

To troops who had been engaged in such hasty and fatiguing marches, who had been so much exposed to hardships and dangers, and who had now, by their zealous exertions in the cause of their country, brought a war to a successful termination, and severely chastised the savages for unprovoked outrages upon their defenceless frontiers, it was a pleasure to retire to their homes from the scenes of wretchedness they had witnessed, and from a contest, where every thing being performed, nothing remained to be done. It was a cheering reflection to those brave men, that, their trials being over, they were retiring

to their families and homes, and carrying with them that sweetest and happiest of all consolations to a war-worn soldier's mind, that, in the trying and difficult situations in which they had been placed, they had acted with honour to themselves, and with usefulness and fidelity to their country.

Whilst these arrangements were progressing, the friendly Creeks were engaged in pursuing and destroying their fugitive countrymen with the most unrelenting rigour. To have been at the destruction of Fort Mimms, was a ground of accusation against a warrior, which at once placed him without the pale of mercy. They viewed, or affected to view, this unwarranted and unprovoked offence with sentiments of deeper inveteracy than did even our own troops. Meeting a small party who were on their way to camp, to submit themselves on the terms that had been previously offered, and understanding they had accompanied Weatherford, in his attack on this fort, they arrested their progress, and immediately put them to death. To permit a course of conduct like this, was well calculated to keep alive the timid apprehensions of the Indians, and induce them to consider the proffered terms of peace which Jackson had presented, as a stratagem to lure them into danger, and effect their destruction: sensible of this, prompt and immediate steps were taken by the commanding general to prevent its again recurring.

That people of the same nation should be found marshalled in opposition to each other, is not a matter of surprise, on the principles and practice of modern warfare, which affects to prove it right to seize on any circumstance that may operate prejudicially to an enemy; but the patriot, whose bosom swells with love of country, must ever view it with abhorrence: and although, from necessity or policy, he may be compelled to avail himself of the advantages afforded by such a circumstance, he can never be induced either to approve or justify it. Although the war had been commenced in opposition to the views and wishes of the friendly party, yet it was their duty to have united. Entering the ranks of an invading army, and fighting for the extermination of their people, and the destruction of their nation, is a circumstance which presents them in the character of traitors to their country, and meriting the severest punishment.

In two hours after receiving General Pinckney's order,

the troops commenced their return march, and reached Fort Williams on the evening of the 24th. Immediate measures were adopted for carrying into effect what had been ordered; to send out detachments to assail and disperse any collections of the war party that might be found on the route, and within striking distance.

The East Tennessee troops having a longer period to serve, were, on that account, selected to garrison the different posts. General Doherty was accordingly directed to detail from his brigade seven hundred and twenty-five men, for the defence of those points, with a view to an open communication being preserved with Fort Jackson, and to secure more effectually, a peace, which, being supposed for the present to be founded on the fears and distresses of the war party, was perhaps not so securely and firmly established as that any necessary and precautionary measure should be omitted.

General Jackson being now about to separate from his army, did not omit to disclose to them the high sense he entertained of their conduct, and how well they had deserved of their country. "Within a few days," said he, "you have annihilated the power of a nation that for twenty years has been the disturber of your peace. Your vengeance has been satisfied. Wherever these infuriated allies of our arch-enemy assembled for battle, you pursued and dispersed them. The rapidity of your movements, and the brilliancy of your achievements, have corresponded with the valour by which you have been animated. The bravery you have displayed in the field of battle, and the uniform good conduct you have manifested in your encampment, and on your line of march, will long be cherished in the memory of your general, and will not be forgotten by the country which you have so materially benefited."

The constant and rapid movements of the troops for the time they had been in service, had greatly exposed them; and although many hardships had been encountered, yet their duty had been performed without murmuring. A retrospect of the last month will show, that more could scarcely have been done. Fort Williams was reached just four weeks from the time they had left it, on the expedition to Tohopeka, where they had met and conquered the enemy; whence, returning, not with a view to obtain rest, but to recruit the exhausted state of their provisions, in one week was this same army on its way to Hoithlewelee.

where, supported and encouraged by their prophets, was collected the strength of the nation. To this point did they urge forward, over mountains, and through torrents of continual rain, that rendered the route almost impassable; and reached and destroyed, on the 14th, a town which the inspired men of the nation had declared was consecrated, and on which no white man was ever to be permitted to tread with impunity. On the 17th, they are found at the confluence of the Coosa and Tallapoosa, treading still this consecrated soil, and driving the panic-struck savages before them; and again, on the 24th, are at Fort Williams, retiring to their homes, from the labours they had encountered, and from the conquests they had gained. In such celerity of movement, is to be found the cause which secured to Jackson and his army the uniform successes they obtained. So rapid were his marches, that not unfrequently was he in the neighbourhood of the enemy before they had received any intelligence of his approach; in addition to this, was attached to him the quality, that few generals ever possessed in a higher degree, of inspiring firmness in his ranks, and making even the timid brave. An entire confidence of success, a full assurance of victory, and a fearlessness and disregard of danger, were the feelings displayed by himself in all difficult situations, and those feelings he possessed the happy faculty of inspiring to others, and of diffusing through his army.

Whether any of the hostile party were yet on the Cohawba, or had fled for safety to the British and Spaniards at Pensacola, was uncertain. To ascertain this, to disperse them, and destroy their villages, General Johnson was despatched, at the head of five hundred men, with orders to proceed along this river to its head branches, effect the object so far as it was practicable, and re-unite with the main army at Deposit. Jackson reported to General Pinckney, that his orders had been complied with; that four hundred troops had been detailed for the protection of Fort Williams, and that he would leave at the other points a force correspondent to their exposed situations. "The remainder of my troops," he continues, "I shall march to Tennessee, where I shall discharge them: after which, I shall no longer consider myself accountable for the manner in which the posts may be defended, or the line of communication kept open;—happy that the time for which I offered my services to my government, and

the duties which they assigned me to perform, will have terminated together."

The army proceeded on its march, and crossing Tennessee river, in safety reached Camp Blount, near Fayetteville, where they were discharged from further service. Johnston, who had previously fallen in, had destroyed some of the enemy's towns; but had learned nothing of a force being any where embodied along the route he had taken.

At parting with his troops, the general again brought before them the recollection he retained of their faithful and gallant conduct, and the patience with which they had borne the privations and hardships of war. On his return, wherever he passed, the plaudits of the people were liberally bestowed. The ardent and extraordinary zeal he had manifested in the service of his country, the difficulties he had surmounted, with the favourable termination, which, by his exertions, had been given to a contest that had kept alive the anxieties and fears of the frontier settlers, excited a general feeling of gratitude and admiration; all were ready to evince the high sense they entertained of the success with which every effort had been crowned, and with one accord united in manifesting their confidence and respect for him, who, by his zealous exertions, able management, and fidelity to the cause in which he had embarked, had so essentially contributed to the safety, the happiness, and quiet of the country.



## CHAPTER VI.

Jackson is appointed a major-general in the service of the United States.—Is directed to open a negotiation with the Indians.—Speech of the Big Warrior, a chief of the nation.—Concludes a treaty with the Creek Indians.—His views against Pensacola and Florida.—General Armstrong's letter.—The Spanish governor is called on for an explanation of his conduct.—His answer, and General Jackson's reply.—The adjutant-general is despatched to Tennessee to raise volunteers.—Jackson sets out for Mobile.—Orders the Tennessee troops to advance.

If Jackson had been enabled, after his first battle with the enemy, to prosecute the campaign, it might have had a



much earlier conclusion; but although he had, at the onset, obtained advantages from which benefits might have arisen, yet, from the want of proper exertions on the part of the contractors, he was halted, and compelled to retrace his steps back to his first position. From the delays here unavoidably met with, flowed those grievances which gave a check to further active operations. The winter, against which his troops were ill provided was fast approaching; hardships, and hunger, which were already pressing, with a long fatiguing campaign in prospect, presented imaginary difficulties, and excited discontents, which presently broke out into open mutiny; and although the intention of the volunteers, to desert the service, and retire home, had been prevented by the stern and resolute conduct of the general, yet were they thereby unfitted for the duties of the field, because entire confidence was no longer to be reposed. To venture with such troops, who, whilst the tomahawk and scalping knife were uplifted, to wreak vengeance on our devoted frontiers, were coolly construing the effect and meaning of laws, was too unsafe a reliance for a commander whose first object was to impress on the minds of the savages the determination and strength of the government he represented. It was adventuring too largely; for, should defeat result, the difficulty of drawing a new army to the field, would be increased; whilst that self-confidence in troops, so necessary to complete success, would essentially be lost. It was believed to be the safer course, to permit his discontented volunteers to depart, and await the arrival of another force. These circumstances had a tendency to encourage the Indians, and protract the war. Had the volunteers proceeded with the animation and bravery which characterized them in the battle they had just fought, they would have gradually acquired a confidence calculated to render them an overmatch for Indian valour and cunning; whilst by one further successful effort, they might have dispirited the enemy, and ended the campaign. But the arrival of a different description of troops, and the confusion into which they were thrown at the battle of Enotichopco, had encouraged the savages, and induced them to think the contest by no means hazardous. The despondency which had resulted from their previous defeats, was from that moment forgotten; and, again inspirited, they looked to the accomplishment of their object with hopes of certainty even greater than before.

Perhaps, however, it was fortunate that events transpired in the way they did. Had peace been restored in consequence of early fears excited, it might have lasted only until a favourable opportunity occurred of again breaking it; but the war having continued, until the hopes, the strength, and spirit of the nation were exhausted, nothing serious is now to be apprehended from any hostile disposition that may hereafter be manifested. Other advantages will also result. The uniform and uninterrupted successes obtained over them in all our battles, may impress the Indians, generally within our limits, with a higher reverence for the character of our nation than they have hitherto been disposed to entertain; give protection to our citizens, and ensure that security to the government, which the mildness it has practised, and the tribute it has constantly given for their *peace*, has, heretofore, never been able to effect; they will tend to destroy the influence held over them by other nations, and bring them to a conviction, that the United States is the only power whose hostility they should fear, or whose friendship they should prize.

It was now eight months since General Jackson had left his home, to arrest the progress of the Indian war; during most of which time he had been in a situation of bodily infirmity, that would have directed a prudent man to his bed, instead of advancing to the field. During this period, he had never seen his family, or been absent from the army, except to visit the posts in his rear, and arrange with his contractors some certain plan to guard against a future failure of supplies. His health was still delicate, and rendered retirement essential to its restoration; but, his uniformly successful and good conduct, and the essential advantages he had produced, had brought him too conspicuously before the public, for any other sentiment to be indulged, than that he should be placed, with an important command, in the service of the United States.

The resignation of General Hampton enabled the government, in a short time, to afford to him an evidence of the respect it entertained for his services and character. A notice of his appointment as brigadier and brevet major-general, was forwarded on the 22d of May, from the war department. General Harrison having, about this time, become dissatisfied with the conduct of the government, refused to be longer considered one of her military actors; to supply which vacancy, a commission of major-general

was forwarded to Jackson, which reached him the day after the notification of his first appointment, and before he had been enabled to return an answer whether or not it would be accepted. The important services which he had rendered, added to the rank which, under the authority of his state, he held, might well induce a doubt whether the appointment first conferred, was at all complimentary, or one which, in justice to his own character, he could have accepted. Whatever of objection could have arisen, on this subject, was removed by the subsequent appointment of major-general, made on the resignation of Harrison, and which was accepted.

The contest with the Indians being ended, the first and principal object of the government was, to enter into some definitive arrangement which should deprive of success any effort that might hereafter be made, by other powers, to enlist those savages in their wars. None was so well calculated to answer this end, as that of restricting their limits, so as to cut off their communication with British and Spanish agents in East and West Florida.

No treaty of friendship or of boundary had yet been entered into with the Indians: they remained a conquered people, and within the limits of the United States, subject to the regulations and restrictions which had been prescribed in March, by General Jackson, when he retired from their country. He was by the government, now called upon to act in a new and different character, and to negotiate the terms upon which an amicable understanding should be restored between the United States and the conquered Indians. But for the government to proceed on the principles of equal and reciprocal treaty stipulation, was, in reference to the expensive war imposed on them, and the unprovoked manner in which it had been begun, not to be expected. The Indians had broken, without cause, the treaty they had made, outraged humanity, and murdered our unoffending citizens. Under such circumstances, by the peace to be concluded, to negotiate with, and as heretofore recognize them as an independent and sovereign people, comported not with propriety, nor was it demanded by any, the ties of moral duty. General Jackson, therefore, was directed to treat with them as a conquered people, and to prescribe, not negotiate, the terms and conditions of a peace. Colonel Hawkins, who,

for a considerable time past, had been the agent to this nation, was also associated in the mission.

On the 10th of July, the General, with a small retinue, reached the Alabama; and on the 10th of August, after some difficulty, succeeded in procuring the execution of a treaty, in which the Indians pledged themselves no more to listen to foreign emissaries,—to hold no communication with British or Spanish garrisons; guaranteed to the United States the right of erecting military posts in their country, and a free navigation of all their waters. They stipulated also, that they would suffer no agent or trader to pass among them, or hold any kind of commerce or intercourse with their nation, unless specially deriving his authority from the president of the United States.

The exactions of this treaty were in conformity with instructions issued from the department of war, and differ in expression from what has been usually contained in instruments of a similar kind. It breathes the language of demand, not contract and agreement; and hence has General Jackson been censured for the manner after which the negotiation was concluded. The course, however, which was pursued, is really justified by the terms and expressions of the order under which he acted, and which prevented the exercise of discretion. General Armstrong, who at that time was in the cabinet, and spoke the sentiments of the president, in a letter addressed to Jackson on the 24th of March, uses the following remarks. "It has occurred to me, that the proposed treaty with the Creeks, should take a form altogether military, and be in the nature of a *capitulation*; in which case, the whole authority of making and concluding the terms, will be in you exclusively as commanding general." Accompanying which were instructions formally drawn up, and which were to constitute the basis on which the negotiation was to rest.\*

\* Mr. Clay, speaker of the house, in 1819, pending the General's controversy, severely assailed General Jackson, on account of the authoritative tone contained in the treaty of Fort Jackson. Having lately returned from his Ghent mission, his opinion was, that there was not enough of courtly etiquette employed in the phraseology of the treaty; and that towards these murdering, scalping, and conquered savages, every thing of friendly reciprocity should have been employed, as with the most civilized nations of the world. The censure thus imposed was ill-placed, and knowingly so. What General Jackson might have done, acting upon his own responsibility, cannot be known, and

Without violence to those feelings benevolence excites, the United States might have demanded their country, and either have treated the Indians as vassals, and subjected them to legislative control, or admitted them into their national compact, with such rights of citizenship, as, from their peculiar habits of life, they were calculated safely to enjoy; but the humane and generous policy which had been maintained in all transactions with the savages within their limits, induced the government to require in the cession, only such portion of their country as might have a tendency to bar every avenue to foreign intrigue, and give additional strength to those sections of the union, which, from their limited extent of territory, and limited population, were unable to afford sufficient supplies for the subsistence of an army, or give a partial check to the inroads of an invading enemy. The lines defined by the treaty were so arranged as fully to meet these objects. Sufficient territory was acquired on the south to give security to the Mobile settlements, and to the western borders of Georgia, which had often felt the stroke of Indian vengeance and cruelty; while at the same time, was effected, the important purpose of separating them from the Seminole tribes and our unfriendly neighbours in Florida. To the frontiers of Tennessee, an assurance of safety was given by

need not be inquired after, inasmuch as he had no discretion; and because the orders of General Armstrong, then secretary of war, not merely authorised, but directed him to treat with the Indians as a conquered people, and not upon terms of reciprocity. The instructions given by the secretary of war, as to the conditions after which a treaty should be concluded, are as follows:

1st. An indemnification for expenses incurred by the United States in prosecuting the war, by such cession of land as may be deemed an equivalent for said expenses.

2d. A stipulation on their part that they will cease all intercourse with any Spanish port, garrison, or town; and that they will not admit amongst them any agent or trader who does not derive his authority or license from the United States.

3d. An acknowledgment of the right of the United States to open roads through their territory; and also to establish such military posts and trading houses as may be deemed necessary and proper; and

4th. A surrender of the prophets and other instigators of the war, to be held subject to the order of the president.

You are authorized, in conjunction with Colonel Hawkins, to open and conclude a treaty of peace with the hostile Creeks, as soon as they shall express a desire to put an end to the war.

J. ARMSTRONG.

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the settlements which would be afforded on the lands stretching along the Tennessee river; whilst the extent of the cession, west of the Coosa, would effectually eject all communication with the Chickasaws and Choctaws, and prevent the passage of those emissaries from the north-western tribes, who, during the present war, had so industriously fomented the discontents of the Creeks, and excited them to hostility. It is a happy consideration, that while these advantages were obtained, no material injury was done those vanquished people. Their country presented none of those inducements to the hunter, which could, as heretofore be relied on with certainty; while, for all the purposes of agriculture, the part reserved for them, was more than sufficient for fifty times the population which their nation contained. It may appear plausible in theory, but practice will always disprove the idea, that the civilization of Indians can be effected, whilst, scattered through an immense wilderness, they are left to pursue their vagrant, wandering, habits of life. Inured to peculiar manners, from their earliest period, it certainly would not answer to innovate at once upon their ancient customs; but, were their extensive wilds gradually reduced, so, in proportion, would the benefits resulting from hunting, and wandering through the forest, subside, until prompted by necessity, they would resort to industry and agriculture, as the only certain and lasting mean of support, and thus imperceptibly be forced into a different and more advantageous course of life.

Unwilling to resort to any other mode of living than that to which they had been always accustomed; and satisfied that the means of subsistence would be lost in the surrender of their country, they remained obstinately opposed to every arrangement. Before being finally acted upon, the treaty had been fully debated in council, and the voice of the nation pronounced against it. Jackson had submitted the views of his government, and now met them in council, to learn their determination. He was answered by the Big Warrior, a friendly chief, and one of the first orators of the nation, who declared the reluctance that was felt, in yielding to his demand, from a conviction of the consequences involved, and the distresses it must inevitably bring upon them. The firm and dignified eloquence of this untutored orator, evinced a nerve and force of expression, that might not have passed unnoticed, had it



been exhibited before a more highly polished assembly: the conclusion of his speech is given, for the satisfaction of such as can mark the bold display of savage genius, and admire it when discovered. Having unfolded the causes which produced the war, told of their sufferings, and admitted that they had been preserved alone by the army which had hastened to their assistance, he urged, that although in justice, it might be required of them to defray, by a transfer of a portion of their country, the expenses incurred, yet was the demand premature, because the war was not ended, nor the war party conquered; they had only fled away, and might yet return. He portrayed the habits of the Indians, and how seriously they would be affected by the required surrender, and thus concluded:

"The president, our father, advises us to honesty and fairness, and promises that justice shall be done: I hope and trust it will be! I made this war, which has proved so fatal to my country, that the treaty entered into a long time ago, with father Washington, might not be broken. To his friendly arm I hold fast. I will never break that bright chain of friendship we made together, and which bound us to stand to the United States. He was a father to the Muscoga people; and not only to them, but to all the people beneath the sun. His talk I now hold in my hand. There sits the agent he sent among us. Never has he broken the treaty. He has lived with us a long time. He has seen our children born, who now have children. By his direction, cloth was wove, and clothes were made, and spread through our country; but the *Red Sticks* came, and destroyed all,—we have none now. Hard is our situation, and you ought to consider it. I state what all the nation knows: nothing will I keep secret.

"There stands the Little Warrior. While we were seeking to give satisfaction for the murders that had been committed, he proved a mischief-maker; he went to the British on the lakes; he came back, and brought a package to the frontiers, which increased the murders here. This conduct has already made the war party to suffer greatly: but, although almost destroyed, they will not yet open their eyes, but are still led away by the British at Pensacola. Not so with us: we were rational, and had our senses—we yet are so. In the war of the revolution, our father, beyond the waters encouraged us to join him, and we did so. We had no sense then. The promises he

made were never kept. We were young and foolish, and fought with him. The British can no more persuade us to do wrong: they have deceived us once, and can deceive us no more. You are two great people. If you go to war, we will have no concern in it; for we are not able to fight. We wish to be at peace with every nation. If they offer me arms, I will say to them, You put me in danger, to war against a people born in our own land. They shall never force us into danger. You shall never see that our chiefs are boys in council, who will be forced to do any thing. I talk thus, knowing that father Washington advised us never to interfere in wars. He told us that those in peace were the happiest people. He told us, that if an enemy attacked him, he had warriors enough, and did not wish his red children to help him. If the British advise us to any thing, I will tell you—not hide it from you. If they say we must fight, I will tell them, No!"

The war party being not entirely subdued, was but a pretext to avoid the demands which were made; presuming that if the council could break up, without any thing being definitely done, they might, in part, or perhaps altogether, avoid what was now required of them to do; but the inflexibility of the person with whom they were treating, evinced, that however just and well founded might be their objections, the policy under which he acted was too clearly defined, for any abandonment of his demands to be at all calculated upon. Shelocta, a chief, who had united with our troops at the commencement of the war; marched and fought with them in all their battles; and who had attached to himself strongly the confidence of the commanding general, now addressed him. He told him of the regard he had ever felt for his white brothers, and with what zeal he had exerted himself to preserve peace, and to remain in friendship; when his efforts had failed, he had taken up arms against his country, and fought against his own people; that he was not opposed to yielding the lands lying on the Alabama, which would answer the purpose of cutting off any intercourse with the Spaniards; but the country west of the Coosa he wished to be preserved to the nation.\* To effect this, he appealed to the feelings of Jackson; told him of the dangers they had passed together; and of his

\* This country west of the Coosa now forms the respectable state of Alabama, admitted into the Union in the year 1819

faithfulness, in the trying scenes through which they had gone.

There were, indeed, none whose voice ought sooner to have been heard than Shelocta's. None had rendered greater services, and none had been more faithful. He had claims, growing out of his fidelity, that few others had: but his wishes were so much at variance with what Jackson considered the interest of his country required, that he was answered without hesitation. "You know," said he, "that the portion of country which you desire to retain, is that through which the intruders and mischief-makers from the lakes reached you, and urged your nation to those acts of violence that have involved your people in wretchedness, and your country in ruin. Through it leads the path Tecumseh trod, when he came to visit you: that path must be stopped. Until this be done, your nation cannot expect happiness; nor mine security. I have already told you the reasons for demanding it; they are such as ought not—cannot be departed from. This evening must determine whether or not you are disposed to become friendly. By rejecting the treaty you will show that you are the enemies of the United States—enemies to yourselves." He admitted it to be true, that the war was not ended, yet that this was an additional reason why the cession should be made; that then a line would be drawn, by which his soldiers would be enabled to distinguish and know their friends. "When our armies," continued he, "came here, the hostile party had even stripped you of your country: we retook it, and now offer to restore it;—theirs we propose to retain. Those who are disposed to give effect to the treaty, will sign it. They will be within our territory; will be protected and fed; and no enemy of theirs, or ours, shall molest them. Those who are opposed to it shall have permission to retire to Pensacola. Here is the paper: take it, and manifest who are his friends. Consult, and this evening let me know who will assent, and who will not. Act as you think proper."

They proceeded to deliberate and re-examine the course they should pursue, which terminated in their assent to the treaty, and the extension of those advantages that had been insisted on.\*

\* It was agreed that the line should begin where the Cherokee southern boundary crossed the Coosa, to run down that river to Woe-

In the progress of this business another difficulty arose: the council insisted that there should be inserted in the treaty a reservation of certain tracts of land; one for Colonel Hawkins, in consideration of his fidelity as an agent; and another to Jackson, because of the gratitude felt towards him for his exertions in their favour against the hostile Creeks. To this the general objected. It was personal as it regarded himself, and he was unwilling to appear in any point of view, where suspicion could attach, that he had availed himself of his official situation to obtain personal benefits; fully aware, that however the facts in reality might be, selfish considerations would be imputed as an inducement to what was done. He refused, therefore, to have it inserted; and for a further reason, that the instructions under which he was acting, required it to be a capitulation and not a treaty. The next morning, however, when they met in council to sign the instrument, the chiefs delivered to the general a paper, expressing a wish, and disclosing their reasons, that a reservation to himself, — Colonel Hawkins, and Mayfield, who being made a prisoner in his youth, had always resided in the nation, might be assented to; and requested it to be forwarded on and made known to the government. Jackson consented to do so, and to recommend its adoption; but that the reservation they had thought proper to request, if assented to, he would accept of on no other terms than that the president should dispose of it, and apply the proceeds to those of the nation on whom distress and poverty had been brought by the war. Mr. Madison subsequently brought this matter to the consideration of the Senate of the United States, and in recommending its adoption highly complimented the delicacy with which the proposition had been met by General Jackson: it was, however, never acted on by Congress.

Every attention had been given, during the negotiation, to impress on the minds of the savages the necessity of remaining at peace and friendship with the United States; for, although all apprehensions of their acting in concert as a nation had subsided, yet it was important to leave

tum-ka, and thence eastwardly to Georgia. East and north of this line, containing upwards of one hundred and fifty thousand square miles, remained to the Indians. West and south was secured to the United States.

their minds favourably impressed, lest the wandering fugitives, scattered in considerable numbers towards the Escambia and Pensacola, might, by continuing hostile, associate others of their countrymen,—attach themselves to the British, should they appear in the south, aid them by their numbers, and pilot them through the country.

This retreat of the savages in East Florida, had been always looked upon as a place whence the United States might apprehend serious difficulties. There was no doubt, but that the British, through this channel, with the aid of the governor, had protected the Indians, and supplied them with arms and ammunition; nor was it less certain, but that through the art and address practised on them, they had been excited to the outrages which had been heretofore committed. It was an idea entertained by Jackson at the commencement of the Creek war, that the most effectual and proper mode of procedure would be to push his army through the nation; gain this den, where vegetated so many evils; and, by holding it, effectually cut off their intercourse, and means of encouraging the war: but the unexpected difficulties which we have before noticed, had repressed the execution of his well digested plans, and left him to pursue his course as circumstances, and the obstacles met with, would permit. The assistance which, during the war, had been continually afforded these people from Pensacola, induced him once more to turn his attention there; and he now strongly urged on government the propriety of attacking and breaking down this strong hold, whence so many evils had flowed, and whence greater ones were yet to be expected. His busy mind, actively engaged, while employed in settling all differences at Fort Jackson, had sought through every channel that could afford it, information as to the designs of the British against the southern parts of the Union. The idea had been prevalent, and generally indulged, that, so soon as the severity of approaching winter should put a stop to active operations on the Canada frontier, with all their disposable force, they would turn their attention against the southern states, and there attempt to gain some decisive advantage. New Orleans, with one consent, was fixed upon as the point that most probably would be assailed. The circumstance of there being so many persons there who had never been supposed to entertain any well-founded regard for the country in

which they lived, together with a large black population, which it was feared might be excited to insurrection and massacre, through the persuasions of an enemy, were reasons which strongly led to this conclusion.

General Jackson having understood, that comfort and aid was still afforded by the Spanish governor to the hostile Indians, who had fled from the ravages of the Creek war, cherished the belief that his conduct was such as deservedly to exclude him from that protection to which, under other circumstances, he would be entitled, from the professed neutrality of Spain. At all events, if the improper acts of the Spanish agents would not authorize the American government openly to redress the unprovoked injuries it had received, they were such, he believed, as would justify any course which had for its object to arrest their continuance and give safety to the country. In this point of view he had already considered it, when on his way to the treaty at Fort Jackson, he received certain information, that about three hundred English troops had landed; were fortifying themselves at the mouth of the Apalachicola; and were endeavouring to excite the Indians to war. No time was lost in giving the government notice of what was passing, and of the course deemed most advisable to be pursued. The advantages to be secured from the possession of Pensacola he had frequently urged. Whether it was that the government beheld things in a point of view different from himself, or that being at peace with Spain, was disposed to encounter partial inconveniences, rather than add her to the number of our enemies, no order to that effect was given. In detailing to the secretary of war the information that had been communicated to him, he remarks: "If the hostile Creeks have taken refuge in Florida, and are there fed, clothed, and protected; if the British have landed a large force, munitions of war, and are fortifying and stirring up the savages; will you only say to me, raise a few hundred militia, which can be quickly done, and with such regular force as can be conveniently collected, make a descent upon Pensacola, and reduce it? If so, I promise you the war in the south shall have a speedy termination, and English influence be forever destroyed with the savages in this quarter."

Notwithstanding this and other information communicated to the government, yet, to his repeated and pressing applications, he was unable to obtain any answer: nothing

was returned that could be construed into a permission of, or command to abstain from the execution of his project. At length, on the 17th of January, 1815, after the British army had been repulsed at New Orleans, and the descent on Florida almost forgotten, through the post office department, dated at Washington city, the 18th of July, 1814, he received the following letter from General Armstrong, then secretary at war:

"The case you put is a very strong one: and if all the circumstances stated by you unite, the conclusion is irresistible. It becomes our duty to carry our arms where we find our enemies. It is believed, and I am so directed by the president to say, that there is a disposition on the part of the Spanish government, not to break with the United States, nor to encourage any conduct on the part of her subordinate agents, having a tendency to such rupture. We must, therefore, in this case, be careful to ascertain facts, and even to distinguish what, on the part of the Spanish authorities, may be the effect of menace and compulsion, or of their choice and policy: the result of this inquiry must govern. If they admit, feed, arm, and co-operate with the British and hostile Indians, we must strike on the broad principle of self-preservation:—under other and different circumstances, we must forbear."

That the state of things, here suggested by the secretary, did actually exist; that the British were favourably received, and every assistance necessary to a continuance of hostilities extended to the Indians, the government had been already apprised, by the frequent communications made to them on the subject. The facts were too well ascertained for any reasonable doubt to attach. To determine then upon a proper course, no postulata were necessary, or should have been required by the government. Had this letter reached him in time, it would at once have determined General Jackson in the course proper to be pursued; how it was so long delayed, we know not, nor shall we pretend to conjecture; for on such a subject, conjecture alone could be indulged. We would, however, recommend in all cases, where a measure is to be proceeded in, either from necessity, or a well founded apprehension of its propriety, that the government should adopt it without fear or trembling, and from no regard to the consequences involved; nor leave to be determined by the success or failure of the design, whether an officer acting

upon his own responsibility, and for the good of his country, shall become the subject of commendation or reproof.

"If" remarked the General, speaking of this transaction, "this letter, or any hint that such a course would have been even winked at by the government, had been received, it would have been in my power to have captured the British shipping in the bay. I would have marched at once against Barrancas, and carried it, and thus prevented an escape; but, acting on my own responsibility against a neutral power, it became essential to proceed with more caution than my judgment or wishes approved, and consequently important advantages were lost, which might have been secured." The delay of this letter is inexplicably strange. Did General Armstrong detain it? He could not, because his efficiency of character and decision stand in opposition to the idea; and, besides, after the burning of Washington, in August 1814, he ceased to have any agency in the affairs of the government. It is a circumstance, which, during this time, could not have remained under the control of accident: it must have been the effect of management somewhere, and of a design intended for some important purpose; if any mishaps occurred, and a question arose where responsibility should rest, the absence of authority would readily affix it on Jackson. If our cause had proved disastrous at New Orleans, it would have been an easy and plausible matter to have ascribed it to the time lost in waging operations against a neutral and friendly power, without the sanction of the government.

On reaching Fort Jackson, his first attention had been directed to a subject which he believed to be of greater importance than making Indian treaties—to establish a plan by which to be constantly advised, during his stay, of those schemes that were in agitation in the south: believing that every passing event might be readily obtained through the Indians, who could go among the British without in the least exciting suspicion, he had required Colonel Hawkins to procure some who were confidential, and might be certainly relied on, to proceed to the Apalachicola, and towards the coast, and to return as early as they could obtain correct information of the strength, views, and situation of the enemy. In about fifteen days they came back, confirming the statement previously received, that a considerable English force had arrived, and was then in the



bay of St. Rose; that muskets and ammunition had been given to the Indians, and runners despatched to the different tribes to invite them to the coast.

Satisfied that such permissions, by a neutral power, were too grievous to be borne, he immediately addressed a letter to the governor of Pensacola, apprising him of the information received; and inquiring why and wherefore it happened that every protection and assistance was furnished the enemies of the United States, within his territory; requested him to state whether or not the facts were as they had been represented; and demanded to have surrendered to him such of the chiefs of the hostile Indians as were with him. "I rely," continued he, "on the existing friendship of Spain, her treaties, and that neutrality which she should observe, as authority for the demand I make." The governor's answer, which shortly afterwards was received, evinced nothing of a conciliatory temper, and left no hope of procuring any other redress than that which might be obtained through some different channel. It was a subject, however, which required to be managed with considerable caution.

Spain and the United States were in amity and at peace; to reduce any portion of her territory, and take possession of it, in exclusion of her authority, might be construed such an aggression, as to induce her into the war. On the other hand, for her, with open arms, to receive our enemies, and permit them to make every preparation within her ports, for invading and attacking our country, were outrages too monstrous to be borne, and, in the opinion of Jackson, required to be remedied, let the consequences in prospective be what they might. Although these things had been earnestly pressed upon the consideration of the war department, no answer to his repeated solicitations on the subject had been received. On his own responsibility, to advance to the execution of a measure, which involved so much, when his government was, and had for some time been, in possession of all the circumstances, was risking too much. Yet, were it delayed longer, every day might give to Pensacola additional strength, and increase the danger attendant on its reduction. Undetermined, under considerations like these, he resolved upon another expedient—to despatch a messenger, to lay open to the governor the ground of his complaint—obtain from him a declaration of his intention, as

regarded the course he meant to pursue—and ascertain whether he designed to make subsisting treaties between the two nations, the basis of his conduct, or to adopt a strange and concealed course, which, under the garb of pretended friendship, cloaked all the realities of war. The propriety of delivering up the hostile Indians, who were with him, to atone for the violation of existing treaties, and the rights of humanity, and the murders they had committed, was again pressed and solicited.

A reply was not concluded on by the governor for some time, owing to a very considerable doubt that harassed his mind, whether it would not be more proper to return it without an answer, "in imitation of the conduct of General Flournoy, who, acting in conformity to the orders of Mr. Madison, heretofore had omitted to answer a despatch of his." But having considered the matter quite maturely and deliberately, he at length came to the conclusion, to wave the example set him by the president, and in replying, to act in obedience to those "high and generous feelings peculiar to the Spanish character."

In answer to the demand made upon him, that the hostile Indians should be delivered up, he denied that they were with him, "at that time," or that he could, on the ground of hospitality, refuse them assistance, at a moment when their distresses were so great; nor could he surrender them, as he believed, without acting in open violation of the laws of nations,—laws, to which his sovereign had ever strictly adhered, and of which he had already afforded the United States abundant evidence, in omitting to demand of them "the traitors, insurgents, incendiaries, and assassins of his chiefs, namely, Guiterres, Toledo, and many others, whom the American government protected and maintained in committing hostilities, in fomenting the revolution, and in lighting the flames of discord in the internal provinces of the kingdom of Mexico."

To the inquiry, why the English had been suffered to land in his province arms and ammunition, with a view to encourage the Indians in their acts of hostility, he proceeded with his same "national characteristic," and demanded to be informed if the United States were ignorant, that at the conquest of Florida, there was a treaty between Great Britain and the Creek Indians, and whether they did not know, that it still existed between Spain and those tribes? "But," continued he, "turn your eyes to the island

of Barrataria, and you will there perceive, that within the very territory of the United States, pirates are sheltered, and protected, with the manifest design of committing hostilities by sea, upon the merchant vessels of Spain; and with such scandalous notoriety, that the cargoes of our vessels, have been publicly sold in Louisiana."

It is difficult to discover how, or by what system of logic it was, that Governor Manriquez was enabled to trace any kind of analogy between the United States affording to a few of the patriots of South America, an asylum from the oppressions and persecutions that were threatened to be imposed on them by Spanish tyranny, and his permitting within the limits of Florida, comfort, aid, and assistance to be given the savages, that they might the better be enabled to indulge in cruelty towards us. Nor can it be perceived how it was, that the piracies of Lafite and his party at Barrataria, and the successful smuggling which brought their plundered wealth into port, in open defiance of our laws, could operate as a sufficient pretext for giving protection and indulgence to an enemy entering the territory of Spain, and continuing there, with the avowed intention of waging war against a power with which she not only professed to be in friendship, but was bound by treaty to be so, and at the very time too, when she claimed to be neutral. Nor can we see the force of the argument, because England had a treaty with the Creek Indians, which afterwards devolved on Spain, that the agents of his Catholic majesty were in consequence, justified in protecting the savages in their murders, or assisting covertly, as they did, in the war against us: how the conclusions were arrived at, the governor can decide at some moment, when relieved from those high and honourable feelings, "peculiar to the Spanish character," reason may re-assert her empire over him, and point the manner he was enabled to produce his strange results.

The governor, however, had evidenced rather too high a state of feeling, and taken his ground without suffering his reflections to go to their full extent. He had placed arms in the hands of the savages, "for the purpose of self-defence;" many of them were hastening to him,—more were yet expected. The British had already landed a partial force, and a greater one was shortly looked for. Against this certain and expected strength, added to what his own resources could supply, he believed an American general

would not venture to advance. These considerations had led him to assume a proud and lofty tone,—to arraign the conduct of the United States, in extinguishing the Indian title on the Alabama,—to accuse them of disregarding and violating their treaties, and to point out the danger to which the restoration of peace in Europe might shortly expose them. As yet, he was ignorant of the energy of the man already near his borders, and who, to march against and break down his fancied security, did not desire to be ordered, but only to be apprised by his country that it might be done. Jackson, in no wise pleased with the boldness of his remarks, proceeded again to address him, and exhibited fully the grounds of accusation and complaint in behalf of his country, and in a style at least as courtly as his own.

"Were I clothed," he remarks, "with diplomatic powers, for the purpose of discussing the topics embraced in the wide range of injuries of which you complain, and which have long since been adjusted, I could easily demonstrate that the United States have been always faithful to their treaties, steadfast in their friendships, nor have ever claimed any thing that was not warranted by justice. They have endured many insults from the governors and other officers of Spain, which, if sanctioned by their sovereign, would have amounted to acts of hostility, without any previous declaration on the subject. They have excited the savages to war, and afforded them the means of waging it: the property of our citizens has been captured at sea, and if compensation has not been refused, it has at least been withheld. But as no such powers have been delegated to me, I shall not assume them, but leave them to the representatives of our respective governments.

"I have the honour of being entrusted with the command of this district. Charged with its protection, and the safety of its citizens, I feel my ability to discharge the task, and trust your excellency will always find me ready and willing to go forward, in the performance of that duty, whenever circumstances shall render it necessary. I agree with you, perfectly, that candour and polite language should, at all times, characterize the communications between the officers of friendly sovereignties; and I assert, without the fear of contradiction, that my former letters were couched in terms the most respectful and unexceptionable. I only requested, and did not de-

mand, as you have asserted, that the ringleaders of the Creek confederacy might be delivered to me, who had taken refuge in your town, and who had violated all laws, moral, civil, and divine; This I had a right to do, from the treaty which I sent you, and which I now again enclose, with a request that you will change your translation; believing, as I do, that your former one was wrong, and has deceived you. What kind of an answer you returned, a reference to your letter will explain. The whole of it breathed nothing but hostility, grounded upon assumed facts, and false charges, and entirely evading the inquiries that had been made:

"I can but express my astonishment at your protest against the cession on the Alabama, lying within the acknowledged limits and jurisdiction of the United States, and which has been ratified in due form, by the principal chiefs and warriors of the nation. But my astonishment subsides, when, on comparison, I find it upon a par with the rest of your letter and conduct; taken together, they afford a sufficient justification for any course on my part or consequences that may ensue to yourself. My government will protect every inch of her territory, her citizens and their property, from insult and depredation, regardless of the political revolutions of Europe; and although she has been at all times sedulous to preserve a good understanding with all the world, yet she has sacred rights, that cannot be trampled upon with impunity. Spain had better look to her own intestine commotions, before she walks forth in that majesty of strength and power, which you threaten to draw down upon the United States.

"Your excellency has been candid enough to admit your having supplied the Indians with arms. In addition to this, I have learned that a British flag has been seen flying on one of your forts. All this is done while you are pretending to be neutral. You cannot be surprised, then, but on the contrary will provide a fort in your town for my soldiers and Indians, should I take it in my head to pay you a visit.

"In future, I beg you to withhold your insulting charges against my government for one more inclined to listen to slander than I am; nor consider me any more as a diplomatic character, unless so proclaimed to you from the mouths of my cannon."

Captain Gordon, who had been despatched to Pensa-

cola, had been enabled, during the time he remained there, to obtain much more full and satisfactory information than it had pleased the governor to communicate. Appearances completely developed the schemes which were in agitation, and convinced him that active operations were intended shortly to be commenced somewhere in the lower country. On his return, he reported to the General that he had seen from one hundred and fifty to two hundred officers and soldiers, a park of artillery, and about five hundred Indians, under the drill of British officers, armed with new muskets, and dressed in the English uniform.

Jackson directly brought to the view of the government the information he had received, and again urged his favourite scheme, the reduction of Pensacola. "How long," he observed, "will the United States pocket the reproach and open insults of Spain? It is alone by a manly and dignified course, that we can secure respect from other nations, and peace to our own. Temporizing policy is not only a disgrace, but a curse to any nation. It is a fact that a British captain of marines is, and has for some time past been engaged in drilling and organizing the fugitive Creeks, under the eye of the governor; endeavouring, by his influence and presents, to draw to his standard as well the peaceable as the hostile Indians. If permission had been given me to march against this place twenty days ago, I would, ere this, have planted there the *American Eagle*; now, we must trust alone to our valour, and to the justice of our cause. But my present resources are so limited—a sickly climate, as well as an enemy to contend with, and without the means of transportation to change the position of my army, that, resting on the bravery of my little phalanx, I can only hope for success."

Many difficulties were presented; and, although anxious to carry into execution a purpose which seemed so strongly warranted by necessity, he saw that he was wholly without the power of moving, even should he be directed to do so. Acting in a remote corner of the Union, which was detached and thinly inhabited, the credit of his government was inadequate to procure those things necessary and essential to his operations; while the poverty of his quartermaster's department presented but a dreary prospect for reliance. But to have all things in a state of readiness for action, when the time should arrive to authorize it, he was directing his attention in the way most likely to effect it.

The warriors of the different tribes of Indians were ordered to be marshalled, and taken into the pay of the government. He addressed himself to the governors of Tennessee, Louisiana, and Mississippi, and pressed them to be vigilant in the discharge of their duties. Information, he said, had reached him, which rendered it necessary that all the forces allotted for the defence of the seventh military district, should be held in a state of perfect readiness, to march at any notice, and to any point they might be required. "Dark and heavy clouds hover around us. The energy and patriotism of the citizens of your states must dispel them. Our rights, our liberties, and our free constitution, are threatened. This noble patrimony of our fathers must be defended with the best blood of our country: to do this, you must hasten to carry into effect the requisition of the secretary of war, and call forth your troops, without delay."

On the day after completing the treaty of Fort Jackson, he had departed for Mobile, to place the country in a proper state of defence. The third regiment, a part of the forty-fourth and thirty-ninth, constituted the entire regular force he could at this time command. Many reasons concurred to render it necessary that a sufficient force should be brought into the field as early as possible. His appeals to the people of Tennessee had been generally crowned with success; and he had no doubt but that he might thence obtain such assistance as would enable him, should any unexpected emergency arise, to act at least defensively, until the states already applied to, should have their quotas ready for the field. On the citizens of Louisiana and Mississippi he believed he might securely rely, and that their ardour would readily excite them to contend with an enemy at their very doors. Well knowing the delay incident to bringing militia requisitions expeditiously forth, and fearing that some circumstance might arise to jeopardize the safety of the country, before the constituted authorities could act, he had already despatched his adjutant-general, Colonel Butler, to Tennessee, with orders to raise volunteers, and have them in readiness to advance to his relief, whenever it should be required.

Every day's intelligence tended to confirm the belief that a descent would be made,—most probably on New Orleans. Anonymous letters, secretly forwarded from

Pensacola, and which found their way into the American camp, suggested this as the point of assault; and many of the settlers were apprised by their friends, of the fears entertained for their safety, and entreated to retire from the gathering storm, which, it was feared, would soon burst and entirely involve the lower country in wo and ruin. Where, certainly, to expect attack, was as yet unknown. The part of the country bordering on Mobile, might be assailed; yet, taking into consideration that no very immediate or decided advantages could be obtained there, it was an event not much to be apprehended. The necessity, however, of being prepared at all points, so far as the means of defence could be procured, was at once obvious; for, as the General in one of his letters remarked, "there was no telling where or when the spoiler might come."

There were now many reasons to expect an early visit, and too many causes to apprehend danger, not to desire that an efficient force might be within convenient distance. Colonel Butler was accordingly ordered to hasten forward with the volunteers he could procure, and to join him without delay. The order reached him at Nashville, on the 9th of September, and he forthwith engaged actively in its execution. He directly applied to General Coffee, to advance with the mounted troops. A general order was at the same time issued, bringing to view the dangers that threatened, and soliciting those who were disposed to aid in protecting their country from invasion, to unite with him at Fayetteville, by the 28th instant. The appeal was not ineffectual: although the scene of operation was at least four hundred miles from the point of rendezvous, the call was promptly obeyed; and two thousand able-bodied men, well supplied with rifles and muskets, appeared at the appointed time and place, to march with the brave General Coffee, who had so often led his troops to victory and honour. By proper exertions every thing was presently in complete readiness; and the troops collected for the campaign, in high spirits, set out for the point to which danger, duty, and their country called them.



## CHAPTER VII.

Colonel Nicholls arrives at Pensacola and issues his proclamation to the southern inhabitants.—Attack on Fort Bowyer, and loss of the *Hermes* frigate.—Jackson determines to reduce Pensacola.—Demands of the Governor an explanation of his conduct; his answer.—Enters and takes possession of Pensacola.—Conduct and perfidy of the Governor.—Destruction by the British of Barrancas Fort.—Our troops return to Mobile.—Expedition against the Indians.—General Winchester arrives, and Jackson proceeds to take command of New Orleans.

WHETHER a force were thus concentrating to act defensively against an invading enemy, or were intended to attack and reduce the rallying point of the Indians and British in the Spanish territory, whence they had it in their power to make sudden inroads on any part of our coast, as yet all was conjecture. It was a trait in Jackson's character, to lock closely in his bosom all his determinations: it was only to a few, on whom he reposed with unlimited confidence, that the least intimation was at any time given of his intentions. The idea could scarcely be entertained, that at this time any hostility was meditated against Pensacola. The frequent applications he had made to the war department, to be indulged in the execution of this purpose, without having obtained any directions or permission to do so, had placed a veto on the project, unless he should venture to risk it on his own responsibility.

It was impossible he should remain long in doubt, as to the course best calculated to assure defence, or to the ulterior objects of the enemy. Colonel Nicholls, with a small squadron of his Britannic majesty's ships, had arrived the latter part of August, and taken up his headquarters with Governor Manriquez. He had been sent in advance to sow dissensions among our people, and to draw around his standard the malcontents and traitors of the country. His proclamation, issued to the western and southern inhabitants, full of false statements, and high sounding promises, it was hoped would lead them to a belief, that the government under which they lived was forging for them chains: that, not to redress any injuries of its own, but through the mere dictum of the French

emperor, it had declared war against a power, the freest, the happiest, the most moral and religious on earth. He stated, that he was at the head of a force amply sufficient to reinstate them in those liberties and enjoyments of which they had been bereaved, by the designs of "a contemptible few." That such as were disposed to imbrue their hands in the blood of their countrymen, might not quietly rest, doubting of the assurances proffered them; he concluded by tendering, as security for all he had said and promised, "the sacred honour of a British officer."\*

He had waited about two weeks, that his proclamation might take effectual hold, and prepare the inhabitants to open their bosoms to receive him, when, aided by his Indian and Spanish allies, he set out to ascertain the effect it had wrought. His first visit was to Fort Bowyer, situated on the extreme end of a narrow neck of land, about eighteen miles below the head of Mobile bay, and which commanded the entrance. With the loss of one of his ships, and an eye, he had the mortification to learn, that he had been addressing an incorrigible race, who could be neither duped, flattered, nor forced into submission.

Fort Bowyer had been heretofore abandoned; and, until the arrival of General Jackson in this section of the country, was indeed ill calculated for serious resistance. On perceiving its importance, he immediately caused it to be placed in the best possible state of defence. So effectual was its situation in a military point of view, as commanding the passes of those rivers which discharged themselves into the bay, and opened directly to the Indian country, that it was with him a matter of surprise it had not been more regarded by the United States, and even better attended to by our enemies.

Major Lawrence had the honour to command this spot, the gallant defence of which has given it celebrity, and raised him to an elevated stand in the estimation of his country. That at Pensacola, plans of operation were digesting, which had for their object an invasion of our coast somewhere, was a fact to which Lawrence was not a stranger. A disposition to have his little fortress in such

\* See note A, at the end of the volume, where will be found this most extraordinary production of a British officer, who acted, no doubt, under instructions from his government.

a state of readiness, as would place it in his power, should that be their object, to make a successful and brave defence, had prompted him to the most vigorous exertions. His whole strength was but one hundred and thirty men. By this Spartan band was evinced a confidence in each other, and an unshaken resolution, which left their brave commander no room to apprehend dishonour to his flag, should even defeat result.

The 12th of September determined all doubt of the object which the British had in view. The sentinels brought intelligence that a considerable force, consisting of Indians, marines, and Spaniards, had landed; and the same day, two brigs and sloops hove in sight, and anchored not far distant from the fort.

For a few days, nothing definitive took place. Early on the morning of the 15th, the signals passing from the ships to the shore, led Lawrence to believe an assault would shortly be made. At half after four o'clock in the evening, every thing being arranged, the *Hermes*, in the van, commanded by Sir W. H. Percy, and the other vessels close in the rear, anchored within musket shot fire of the fort. From her near position, supported by the *Caron*, and brigs *Sophia* and *Anaconda*, mounting in all ninety guns, she opened a broadside. Colonel Nicholls and Captain Woodbine at the head of their detachment, commenced a simultaneous attack by land, with a twelve pound howitzer, at point blank distance; but, from their sand bank fortifications, they were so quickly driven, as to be unable to produce the slightest injury.

The action raged with considerable violence. From the fort and ships was pouring a continual fire. The *Hermes* having at length received a shot through her cable, was driven from her anchorage and floated with the stream. In this situation she was thrown into a position, where, for twenty minutes, she received a severely raking fire, which did her considerable damage. It was no longer possible to control her, whence, drifting with the current, she ran upon a sand bank about seven hundred yards distant, where, until late at night, she remained exposed to the guns of the fort. Her commander, finding it impracticable to be relieved, set her on fire, and abandoned her. She continued burning until eleven o'clock, when she blew up. The *Caron*, next in advance to the *Hermes*, was considerably injured, and with difficulty went out to sea.

It is worthy of remark, as evidencing the difference in battle, between the two combatants, to mark the conduct of British and American officers, under circumstances precisely similar. Whilst the battle raged, the flag of the van ship was carried away, and at this moment she ceased to fire. What had caused its disappearance, none could tell: no other opinion could with propriety be entertained, than that it had been hauled down, with a view to yield the contest, and surrender. Influenced by this belief, Lawrence, with a generosity characteristic of our officers, immediately desisted from further firing. The appearance of a new flag, and a broadside from the ship next the *Hermes*, was the first intelligence received that such was not the fact; and the contest again raged with renewed violence. It was but a few minutes, however, before the flag staff of the fort was also carried away: but so far from pursuing the same generous course, that had just been witnessed, the zeal of the enemy was increased, and the assault more furiously urged. At this moment Nicholls and Woodbine, at the head of their embattled train, perceiving what had happened, that our "star-spangled banner" had sunk, at once presuming all danger to have subsided, made a most courageous sally from their strong hold; and, pushing towards their vanquished foes, were already calculating on a rich harvest of blood and plunder: but a well-directed fire checked their progress, dissipated their expectations, and drove them back, with a rapidity even surpassing the celerity of their advance.

Taking into consideration the inequality of force employed on opposite sides of this contest, it will appear a matter of surprise, that the attack should have terminated in the way it did;—that it was not attended with success to our enemy. This circumstance would be a sufficient evidence of the bravery and correct conduct of its gallant defenders, were there a total absence of all other facts; but a belief, that the best way to avoid disaster was to be in a state of readiness to meet it, and a constant assiduity, which urged them forward day and night, that they might be in a situation calculated for successful defence, are facts remembered, and entitle them to the highest commendation. From the bay, the attack was waged with a force of six hundred men, and ninety guns, of larger caliber than any opposed to them; whilst upwards of four hundred Indians and other troops were on the shore, in rear

of the fort. Lawrence's strength was scarcely a tenth of the enemy's. His fort, hastily prepared for defence, with not more than twenty guns, was ill calculated for stubborn resistance; most of these were of small caliber, whilst many, from being badly mounted, were incapable of rendering any essential service in the action: yet, with this inequality, he well maintained the honour of his flag, and compelled the enemy, resting in full confidence of success, to retire, with the loss of their best ship, and two hundred and thirty men killed and wounded; whilst the loss sustained by the Americans did not exceed ten.

Very different were the feelings of the leaders of this expedition, from those which had been entertained on setting out from Pensacola, where every thing had been prepared for giving success to their plans, and where scarcely a doubt was entertained of the result. Numerous benefits were expected to arise from a victory, not in expectancy, but already looked to as certain—as an event that could not fail. From it, greater facility would be given to their operations; while Mobile, it was expected, would fall of course. This being effected, independent of the strong hold already possessed in Florida, an additional advantage would be acquired, calculated to prevent all intercourse with New Orleans, from this section of the country, enable them more easily to procure supplies, and, having obtained expected reinforcements, to proceed, piloted by the Indians, across to the Mississippi, and cut off all communication with the western states. To render the blow effectual, was important; that, by impressing at once the inhabitants with an idea of their prowess, the proclamations already disseminated might claim a stronger influence on doubting minds. The force employed, and its disposition, was calculated to attain these wished for results. While the attack should be furiously waged by the ships from the bay, and the forces on the shore, the yells of three or four hundred savages in the rear, it was calculated would strike the defenders of this fort with such panic, as to make them, at the first onset, throw down their arms, and clamour for mercy. This belief was so sanguinely entertained, that obstinate resistance had never been thought of. Different was the reality—instead of triumph, they had met defeat. The only badges of victory they could present their friends, with whom, but a few days before, with flattering promises they had parted, were shattered hulks,

that could scarcely keep above the water, and decks covered with the dead and wounded.

The three vessels that retired from the contest were considerably injured, and with difficulty proceeded to sea, leaving Nicholls and Woodbine, with their friends and allies on shore, to make good their retreat, as circumstances and their own discretion should permit.

On the morning of the 14th, Jackson, fearing, from every thing he had learned, that an attack would be made, had set out in a boat from Mobile, to visit Fort Bowyer, to examine its situation, and have such arrangements made as would add to its strength, and obtain that security which its re-establishment had been designed to effect. He proceeded down the bay, and had arrived within a few miles of the place, when he met an express from Lawrence, bringing intelligence of the enemy's arrival, and requesting that assistance might be immediately sent to his relief. The General hastened back, and reaching Mobile late at night, despatched a brig with eighty men, under the command of Captain Laval. Not being able to reach his point of destination, until the next day, and finding every place of entrance blocked up by the besiegers, he ran his brig to the land, determined to remain there until night, when, under cover of its darkness, he hoped to succeed in throwing into the fort himself and the reinforcement under his command. The battle, however, having in the mean time commenced, presented new difficulties, and restrained the execution of his purpose, unless he should venture to encounter greater hazard than prudence seemed to sanction. The *Hermes*, on being driven from her anchorage, had, at the time of her explosion, floated and grounded in a direction, which, from the position she occupied, placed her immediately in the rear of the fort. This circumstance well accounted for the mistake with which he was impressed, and led Captain Laval to suppose, that the fort had been blown up, and that his brave countrymen had all perished. He immediately set out for Mobile, and reported to the commanding general the destruction and loss that had happened. Jackson declared it was impossible; that he had heard the explosion, and was convinced it was on the water—not on the shore. Perhaps his great anxiety, more than any reality, had constituted this refined and essential difference in sound. If, however, the disaster communicated were

as reported, his own situation being thereby rendered precarious, something was necessary to be done to repair the loss, and regain a place, for many reasons too important to be yielded. His principal fears were, lest the strength of the enemy should be greatly increased, before his expected reinforcements could arrive, who would be thereby enabled to extend his inroads, and paralyze the zeal of the country. It was not a time for deliberation as to the course most advisable to be pursued. He determined at every hazard to retake the fort; and to that end a general order was issued for the departure of the troops. Every thing was nearly in readiness, when a despatch arrived from Lawrence, proclaiming the pleasing intelligence, that all was safe, and that the enemy, beaten and vanquished, had retired.

The British had now retired to Pensacola, to dispose of the wounded, refit their vessels, and be ready, as soon as circumstances would permit, to make another descent, on some less guarded point. So long as this, their only place of refuge and retreat on the southern coast, was left in their possession, it was impossible to calculate on the consequences that might arise. The commanding general entertained a suspicion that this was merely a feint, and that the object of their wishes and designs, so soon as a sufficient force should arrive, would be New Orleans. At this place, he believed his presence most material, to ascertain and guard the important passes to the city, and to concert some system and plan of general defence. His feelings, however, would not permit him to depart, and leave the settlements on the Mobile open to an attack, from forces immediately in the neighbourhood, which might reduce them, and thereby gain a position whence they might obtain supplies, and be placed nearer the ultimate point, against which, most probably, their views were intended to be directed. His regret was indeed great, that time after time, without the least success, he had urged and entreated his government for permission to take possession of a place where so many dangers threatened, and where every assistance and encouragement was afforded the British; and that regret was increased, now, when he saw the very evils springing into existence, to which he had so often endeavoured to draw their attention, and which were jeopardizing the safety of the entire lower country. To him, the defence of this

district had been entrusted: it was incumbent on him to render a just account of his stewardship, and zealously to support his well-earned reputation. Unless Pensacola were reduced, it was vain to think of defending the country: it would be involved in ruin. Anxiously concerned for the general good, he could discern no other channel through which safety was to be effected, than by hazarding, on his own responsibility, the reduction of this place,—a rendezvous for the enemy.

Jackson and his government had ever viewed this subject in very different lights: they were not willing to risk an act which might involve the possibility of a contest with Spain, for the sake of removing what they considered an unimportant grievance: he thought it of more serious import, and did not believe it could afford even a pretext for rupture between the two nations. If Spain, through her agents, gave assistance and aid to our enemy, or permitted and encouraged a power with whom she was at peace to be thus harassed and annoyed, she deserved to be placed on the list of enemies, and treated accordingly. If, however, Great Britain, taking advantage of the defenceless state of her province, claimed to have free egress, in exclusion of her authority, she could have no well-founded cause of complaint against the injured power, which should claim to hold it, until such time as, by bringing a sufficient force, she might be in a situation to support her neutrality, and enforce obedience to her laws. Upon either ground, he thought it might be sufficiently justified. There was one, however, on which it could be placed, where he well knew nothing could result, beyond his own injury; and on this issue he was willing to trust it. If complaint should be made, his government, having never extended to him an authority, might, with propriety, disavow the act; and, by exposing him to censure and punishment, would offer an atonement for the outrage, and Spain, in justice, could demand no more. The attack on Mobile point was a confirmation of his previous conjectures, as to the views of the enemy; and, from that moment, he determined to advance against, and reduce Pensacola, throw a sufficient force in the Barrancas, hold them until the principles of right and neutrality were better respected, and rest the measure on his own responsibility. Believing this the only course calculated to assure ultimate security, he decided with firmness, and re-



solved to execute his intentions so soon as General Coffee should arrive with the volunteers from Tennessee.

It was now rumoured, and generally accredited, that a very considerable force would shortly sail from England, destined to act against some part of the United States; where, none could tell; rumour, and public opinion, fixed its destination for New Orleans. The importance of this place was well known to our enemy; it was the key to the entire commerce of the western country. Had a descent been made a few months before, it might have been easily taken; but the British had confidently entertained the belief, that they could possess it at any time, without difficulty. England and France having ended their long pending controversy, it was presumed that the French people of Louisiana, sensibly alive to the great benefits the English had conferred upon their native country, would, on their first appearance, hail their deliverers, and at once become their vassals. Independent of this, they imagined the black population would afford the means of exciting insurrection and massacre, and deluging the country in blood. Whether a resort to this kind of warfare, which involves the deepest wretchedness, and equally exposes to ruin the innocent as the guilty,—the female as the soldier,—should be sanctioned by a nation professing a high sense of moral feeling; or whether a nation that adopts such a system, merits countenance from the civilized world, are questions on which we should not fear the decision even of an Englishman, could he but divest himself of that animosity and hatred, which, from infancy, he learns to entertain towards the Americans. To this, and many other acts equally in violation of the rules that should govern honourable warfare, may be traced the cause of those deep-rooted inveteracies in the breasts of our citizens, towards those of England, which time, and a different course of conduct, can alone remove. Why such hostility has been indulged towards us, it is difficult to determine; unless the crime of our revolution, has disposed them to visit the sins of the father upon the child, with a determination they shall never be forgiven or forgotten. Certain it is, that the United States have received a greater number of insults and injuries from this power, than from all the nations of the earth together: the hoary locks of a father, torn off by the merciless Indian,—the innocent, helpless female, bleeding by savage torture,—and the unoffending

babe, dragged from the beating bosom of its mother, and butchered in her sight, are cruelties that can be traced to British influence: yet these people and ourselves are descended from the same fathers—speak the same language—are governed by the same laws—and are similar in manners and customs. But to inquire into the causes of national feeling, belongs not to the historian; it is his duty only to detail facts. The war is over; peace is restored; and the two nations, and their citizens, by a mutual respect, and forbearance towards each other, should endeavour to promote that friendship and intercourse, which it is evidently the interest of both to preserve, and which, we hope, may be lasting.

The expected reinforcements were now announced. General Coffee, with his brigade, had arrived at the *cut off*, not far from Fort St. Stephens, on the Mobile river. In addition to the force with which he commenced his march, he had been strengthened by the arrival of others, who had followed and overtaken him at this place; so that his whole number was now about twenty-eight hundred. To make the necessary arrangements for an immediate march, General Jackson, on the 26th day of October, repaired to Coffee's camp. A dependence on himself to further the objects of the government and the cause of the country, had been his constant lot from the commencement of his military career; and a similar resort, or failure to the enterprise, was now to be assayed. Money was wanted—the quarter-masters were destitute of funds; and the government credit was insufficient to procure the necessary means to change the position of an army: thus situated, with his limited funds, and loans effected on his own credit and responsibility, he succeeded in carrying his plans into effect, and in hastening his army to the place of its destination and usefulness.

The difficulty of subsisting cavalry on the route, rendered it necessary that part of the brigade should proceed on foot. Although Coffee's brigade had volunteered in the service as mounted men, and expected no different disposition would be made of them, yet they cheerfully acquiesced in the order; and one thousand, abandoning their horses to subsist as they could on the reeds that grew along the river bottoms, prepared to commence the march. Being supplied with rations for the trip, on the 2d day of November the line of march was taken up, and

Pensacola reached on the 6th. The British and Spaniards had obtained intelligence of the approach and intended attack; and every thing was in readiness to dispute their passage to the town. The forts were garrisoned, and prepared for resistance; batteries formed in the principal streets; and the British vessels moored within the bay, and so disposed as to command the main entrances which led into Pensacola.

The American army, consisting of part of Coffee's brigade, the regulars, and a few Indians, in all about three thousand men, had arrived within a mile and a half of this rallying point for our enemies, and formed their encampment. Before any final step was taken, the General concluded to make a further application to the governor, and to learn what course, at the present moment, he would make it necessary for him to pursue. To take possession of Pensacola, and dislodge the British, was indispensable: to do it under such circumstances, however, as should impress the minds of the Spaniards with a conviction, that the invasion of their territory was a measure resorted to from necessity, not choice, and from no disposition to infringe or violate their neutral rights, was believed to be essential. It was rendered the more so, on the part of Jackson, because a measure of his own, and wanting the sanction of his government. Previously, therefore, to having recourse to any act of open hostility, he determined once more to try the effect of negotiation, that he might ascertain certainly and correctly, how far the governor felt disposed to preserve a good understanding between the two governments.

Major Piere was accordingly despatched with a flag, to disclose the objects intended to be attained by the visit, and to require that Forts Barrancas, St. Rose, and St. Michael, should be immediately surrendered to the United States, until Spain, by furnishing a sufficient force, might be able to preserve unimpaired her neutral character. He was charged by the General with a candid and explicit statement of his views, and instructed to require of the governor a decisive and positive declaration of the course he intended to pursue.

This mission experienced no very favourable result. On approaching St. Michael's, Major Piere was fired upon and compelled to return. Whether this were done by the Spaniards, or by their allies and friends who were

sojourning with them, was not a material inquiry. The Spanish flag was displayed on the fort, and under it the outrage was committed: though it was a fact well ascertained, that until the day before the British flag had been also associated: this, on the arrival of Jackson, had been removed, and the colours of Spain left, which were designed to afford protection to our enemies, and a pretext for every injury. This conduct, so unprovoked, and withal so directly in opposition to the principles and practice of civilized warfare, might have well determined the General to abstain from further forbearance, and to proceed immediately to the accomplishment of his views: but a consciousness, that although the reduction of this place was required by circumstances of the highest necessity, yet fearing it might become a cause of national difficulty, he was prompted to act with every possible deliberation and caution. A sense of humanity, too, towards these people, who, he was satisfied, were acting not from any choice or discretion of their own, but by the authority of the British, induced a wish that the objects of his visit might be effected without material injury to them. Determining, therefore, to understand the governor fully, previously to proceeding to extremities, he again despatched a letter to him, not by any of his officers, for after such perfidy he was unwilling, and felt it unsafe to risk them, but by a Spanish corporal, who had been taken on the route the day before. By him, it was required to be known, why the former application which had been made, instead of being met with a becoming spirit of conciliation, had been insulted. In answer, he received from the governor a confirmation of the opinion he had previously entertained, that what had been done was not properly chargeable on him, but the English; that he had no agency in the transaction of which he complained, and assured him of his perfect willingness to receive any overtures he might be pleased to make. This was joyful tidings; and no time was to be lost in meeting the offer. If negotiation should place in his hands the different fortresses, before information of it could be had by the British shipping lying in the bay, the outward channel might be effectually stopped, and the means of escape entirely cut off. Major Piere was accordingly sent off, at a late hour of the night, to detail to the governor the reasons which had rendered the present descent proper; and to in-

alist on the conditions already noticed, as alone calculated to assure safety to the United States, and give protection to the provinces of Florida. He was particularly instructed to impress on his consideration the most friendly sentiments, and to assure him that a re-surrender would be made so soon as Spain, by the arrival of a sufficient force, could protect her territory from the inroads of a power at war with the United States; and which, through an opening thus afforded to a violation of the neutrality of Spain, was enabled, and had already produced to her considerable injury. In his communication to the governor, he remarks, "I come not as the enemy of Spain; not to make war, but to ask peace; to demand security for my country, and that respect to which she is entitled and must receive. My force is sufficient, and my determination taken, to prevent a future repetition of the injuries she has received. I demand, therefore, the possession of the Barrancas, and other fortifications, with all your munitions of war. If delivered peaceably, the whole will be receipted for, and become the subject of future arrangement by our respective governments; while the property, laws, and religion of your citizens shall be respected. But if taken by an appeal to arms, let the blood of your subjects be upon your own head. I will not hold myself responsible for the conduct of my enraged soldiers. One hour is given for your deliberation, when your determination must be had."

The council was called, and the propositions made, considered, when the conclusion was taken that they could not be acceded to. Soon as the answer was received, evincing that nothing peaceably could be effected, Jackson resolved to urge his army forward; and, immediately commencing his march, proceeded to the accomplishment of his object, determined to effect it, in despite of danger, and of consequences.

Early on the morning of the 7th, the army was in motion. To foster the idea, that he would march and reach the town along the road, on which ~~he~~ was encamped, a detachment of five hundred men was sent forward, with orders to show themselves in this direction, with a view to amuse and deceive the enemy; while, urging rapidly on, with the ~~str~~ <sup>as</sup> of his army, he reached Pensacola at a different ~~point~~ <sup>expected</sup> point. This stratagem succeeded; the British were looking for his appearance where the

detachment was seen, had formed their vessels across the bay, and were waiting his approach, with their guns properly bearing: nor had they an intimation to the contrary, until our troops were descried upon the beach, on the east side, where they were at too great a distance to be annoyed from the flotilla; and whence, pushing forward, they were presently in the streets, and under cover of the houses.

One company, from the third regiment of infantry, with two field pieces, formed the advance, led by Captain Laval, who fell, severely wounded, while, at the head of his command, he was charging a Spanish battery, formed in the street. The left column, composed of the regular troops, the third, thirty-ninth, and forty-fourth regiments, headed by Majors Woodruff and Piere, formed the left, next the bay. The dismounted volunteers proceeded down the street, next the regulars: Coffee's brigade next, on their right: the Mississippi dragoons, commanded by Colonel Hinds, and the Choctaw Indians by Major Blue, of the thirty-ninth, advanced on the extreme right of all. Captain Laval's party, although deprived of their leader, moved forward, and, at the point of the bayonet, took possession of the battery in their front. So quickly was this effected, that the Spaniards had it in their power to make but three fires, before they were forced to abandon it. From behind the houses and garden fences, were constant volleys of musketry discharged, until the regulars arriving, met the Spaniards, and drove them from their positions. The governor, panic struck, trembling for the safety of his city, and remembering the declaration of the General, that, if driven to extremes, he should not attempt to restrain, or hold himself responsible for his enraged soldiers, hastened, bearing a flag in his hand, to find the commander, and seek to stay the carnage. He was met by Colonels Williamson and Smith, at the head of the dismounted troops, when, with faltering speech, he entreated that mercy might be extended, and promised to consent to whatever terms might be demanded.

General Jackson had stopped for a moment at the spot where Laval had fallen, and was at this time in the rear. Receiving information that an offer had been made by the governor to comply with every demand heretofore made, he hastened to the intendant house, and obtained a confirmation of what had previously been communicated to him,

that the town, arsenals, and munitions of war, and in fact, whatever was required, should immediately and without delay be surrendered.

No time was lost by General Jackson in procuring what was considered by him, of vital importance—the surrender of the forts. Although greater benefits would have been derived, had the success of negotiation placed them privately in his hands, without its being previously known to his enemies, yet even now their possession was not to be neglected. Their occupancy was necessary still to his own security—to check any design that might be in agitation. What was the force opposed to him; at what moment reinforcements might appear off Pensacola, and thereby give an entire change to things, as they at present existed, were matters of which no certain idea could be formed. To possess the Barrancas, which lay fourteen miles to the west, was a consideration of the first importance; still, until the town and its fortresses were secured, it was improper to withdraw the army to so great a distance.

Notwithstanding the assurances given by the governor, that all differences would be accommodated, and every thing insisted on agreed to, Fort St. Michael was still withheld. Captain Dinkins was ordered to take post on Mount St. Bernard, form his batteries, and reduce it. He was in a situation to act, when the commandant, Colonel Sotto, ordered his flag taken down, and the fort to be surrendered.

It is curious to observe the treachery of the Spaniards, and the unpardonable method they took to indulge their rancour and spleen. Previously to striking his colours, the commandant at St. Michael asked permission to discharge his guns; to this there could be no objection, and the indulgence was readily extended; but, faithless and cowardly, he levelled and fired his pieces, charged with grape, at a party of dragoons and Choctaw Indians, who were at a small distance, which killed three horses and wounded two men. Such unpardonable conduct, independent of other wrongs and injuries already noticed, might have justified any treatment; the destruction of the garrison would not have been an unmerited chastisement. The General was on his way to Mount St. Bernard, where his artillery was planted, when he received intelligence of what had been done. He determined no longer to con-

side in persons so faithless, and whose only object seemed to deceive, but at once to make the sword the arbiter between them. His cannon were already turned towards the fort, the resolution taken to batter it down, and carry it by storm, when it was announced by the officer he had left in command at Pensacola, that the capitulation had been agreed on, and a surrender would be made in half an hour. Sensible of the delicate situation in which he was placed, and desirous to spare the effusion of blood, he forebore to obey the impulse their unwarrantable conduct had so justly excited, and forthwith despatched captain Dinkins to insist on an immediate delivery; at the same time giving him directions to carry it by storm if the demand was not instantly complied with.

Difficulties promised thus peaceably to terminate. The day being far spent, and the General greatly indisposed, until the next morning, no step could be taken to obtain possession of the Barrancas. - On the credit of the governor's promises, - made first on their entrance to the town, the principal part of the army had been ordered a short distance without. Understanding, at St. Bernard, that what had been required would be done, and that no further delay met with, the General had set out to the encampment, leaving Major Piere behind, with a sufficient force to preserve every thing in safety and quietness. He was astonished, early in the morning, to learn that the officer despatched to St. Michael, the preceding evening, had, on his arrival, been threatened to be fired on by Colonel Sotto: possession, however, was yielded, on being made to understand, that if the fort were not delivered instantly, and without further parley, it would be carried forcibly, and the garrison put to the sword. A capitulation was now agreed on: Pensacola, and the different fortresses, were to be retained, until Spain could better maintain her authority; while the rights and privileges of her citizens were to be respected.

Every thing was in readiness, on the following day, to march and take possession of Barrancas fort. The faithless conduct of yesterday had determined Jackson on the execution of his plans, nor longer to confide in Spaniards' promises; but on reaching the place, to carry it by force, if it were not immediately surrendered. Major Piere was ordered to give the command of the city to Colonel Hayne, and report himself at camp; previously, however, to re-



ting, to require of the governor to execute an authority to the commandant of the fort, to deliver it; and, in the event he would not comply immediately, to arrest him, and every public officer, and hold them as prisoners. The order for its delivery had been signed, and the line of march ready to be taken up, to advance and receive it,—peaceably, if the order would effect it—forcibly, if not—when a tremendous explosion in that direction, followed by two others, in quick succession, excited the apprehension that all was destroyed. To ascertain, certainly, whence the noise had proceeded, one of his aids was despatched, with two hundred men, to reconnoitre and obtain intelligence. He presently returned, and confirmed what had been previously apprehended, that the fort was blown up, and that the British shipping had retired from the bay.

Although the repairing this place might be productive of numerous advantages, as keeping the enemy, during the expected descent on the lower country, from having in their possession a point where they might prepare their expeditions, and where, in despite of every vigilance that could be used, they might obtain ample supplies; yet, inasmuch as the act was unauthorized by his government, Jackson felt himself restrained from incurring any expense for the re-establishment of what had been thus treacherously destroyed. Though disappointed in the object he had principally in view, he nevertheless believed that some of the benefits intended and expected would result. This strong hold, which had so long given protection to the hostile savages, and where they had been excited to acts of war and cruelty, was assailed, and the Indians taught, that even here, safety was not to be found. The valour and good conduct of his troops had impressed on the minds of the Spaniards a respect for the character of his country, which, hitherto, they had not entertained; and the British, by being dislodged, were prevented from maturing and settling those plans which were to give efficacy to their future operations against the southern section of the Union: but, as the means of maintaining and defending it had been destroyed, it was unnecessary to think of garrisoning and attempting to hold it. It was accordingly concluded to re-deliver all that had been surrendered, and retire to Fort Montgomery. Jackson was the more disposed to adopt this course from a belief that

the British, who had sailed from Pensacola, would probably make their way to Fort Bowyer, and, with a knowledge of the principal strength of the army being away, seek to aim a blow somewhere on the Mobile. An express was immediately hastened to Colonel Sparks, who had been left in command at this place, announcing what had transpired, suggesting apprehensions for his safety, and notifying him, in the event of an attack, to parry the danger until the regular troops, who would be urged forward with every industry, should arrive to support him.

Two days after entering the town, he abandoned it. Previously to retiring, he wrote to Governor Manriquez; and, after stating to him the causes which had induced him, justifiably, as he believed, to enter his territory, he thus concluded: "As the Barrancas and the adjacent fortresses have been surrendered to and blown up by the British, contrary to the good faith I had reposed in your promises, it is out of my power to protect and guard your neutrality, as otherwise I should have done. The enemy has retreated; the hostile Creeks have fled for safety to the forest; and I now retire from your town, leaving you to re-occupy your forts, and protect the rights of your citizens."

Much is due to the calmness and intrepidity of conduct displayed by the troops in their advance on the town, against the batteries that were formed in the streets, the fort, and the fleet lying in the bay, but more for their orderly, open, and generous conduct towards a people who had wholly outraged every principle of correct conduct; and who, even at the moment when the sword was made the appeal, and the blow they merited only stayed by humanity, were still pursuing a course of faithlessness and treachery, and clearly evincing a disposition to aid and assist our enemies: yet, under such circumstances, which certainly would have warranted a less lenient course, not a single irregularity was committed, or the rights of individuals at all molested. So exemplary was the deportment of our officers, and the conduct of our soldiers, as to extort high compliments from the Spaniards, and to induce the declaration that our Indians had behaved with more decency and propriety than their friends, with whom they had just parted. When we remember, what is undeniably the fact, that the British had been always well received by the inhabitants of Florida, who had rendered them every

assistance and protection in their power; and who, from their disposition to aid them, had even brought difficulties upon themselves, ingratitude and injustice may be well charged, when it is recollected that these friends, who had been so well regarded, on retreating from Pensacola, carried off three or four hundred slaves, not their own, in despite of the remonstrances and repeated demands of the owners to have them restored.

Our loss in this expedition was quite inconsiderable. The left column alone met resistance, and had fifteen or twenty wounded—none killed. It appears, indeed, strange, that three heavy pieces of artillery, charged with grape and cannister, and three times fired against a column advancing through a narrow street, should not have effected greater injury. Of the number wounded, was Lieutenant Flournoy, a promising young man, who, having gone out as a volunteer, was, on account of his merit, promoted to a lieutenancy in the forty-fourth United States' regiment. By a cannon shot, he lost his leg. Captain Laval being too dangerously injured to be removed, was confided by the General to the clemency of the governor of Pensacola, who humanely gave him that attention his situation required.

The Indian warriors, who had taken refuge in Pensacola, finding themselves abandoned by the British, fled across the country, and sought safety on the Appalachicola: many were afforded shelter on board the shipping, from which they were shortly afterwards re-landed, to prosecute the war after their own manner; and in their own way. Jackson determined they should have no rest, or respite from danger, so long as a warlike attitude was preserved. Recent events had shown them, that neither the valour of their allies, nor their own exertions, could afford them protection. He believed it an auspicious moment to pursue them in their retreat; increase still further their fears and apprehensions; and effectually cut up that misplaced confidence, which had already well nigh proved their ruin. Understanding that those who were carried off from Pensacola had been landed on the Appalachicola, and a depot of all necessary supplies there established, Major Blue, of the thirty-ninth regiment, was sent off, on the 16th, at the head of a thousand mounted men, with orders to follow and attack them, and destroy any of their villages he might find on his route. General M'Intosh, of the Georgia mi-

litia, then in the Creek country, was apprised of the destination, and directed to co-operate, that the savages might be assailed and dispersed, before they should have it in their power to attempt hostilities against the frontiers. Having effected this object, they were ordered to repair to Mobile, to aid in its defence.

Shortly after the American army had retired, the Spaniards commenced rebuilding Forts Barrancas and St. Rose, which they had lost through the improper interference of their friends. Anxious to regain that confidence they had justly forfeited, the British offered their services to assist in the re-establishment. This offer was refused, and an answer returned by the governor, that when assistance was in fact needed, he would make application to his friend General Jackson.

There was nothing now so much desired by the General, as to be able to depart for New Orleans, where he apprehended the greatest danger, and where he believed his presence was most material. He had already effected a partial security for Mobile, and the inhabitants on its borders; and such as he believed might be preserved, by proper vigilance and activity in those who were left in command. He determined to set out on the 22d for the Mississippi; and, by his exertions, seek to place the country in such a situation for defence as the means within his reach would permit. His health was still delicate, which almost wholly unfitted him for the duties he had to encounter: but his constant expectation of a large force appearing soon on the coast, impelled him to action. Added to the fatigues incident to his station, he as yet had no brigadier-general to relieve him of many of those duties which he had neither time nor strength to meet. General Winchester had been ordered to join him. He had not yet arrived, but was daily looked for. In expectation of his speedy approach, Jackson was making every necessary arrangement for investing him with the command of Mobile, and for his own departure. Colonel Hayne, the inspector-general, was despatched to the mouth of the Mississippi to examine whether in that direction there was any eligible site, where, by erecting batteries, the river might be commanded, and an ascent prevented, if through this route attempted. General Coffee and Colonel Hinds, with the dragoons from the territory, were ordered to march with their commands, and take a posi-

tion as convenient to New Orleans as they could obtain a sufficiency of forage to recruit their horses; having regard to some central point, whence they might, without loss of time, proceed wherever danger should be most imminent. Every thing being arranged, and intelligence received that General Winchester had reached the Alabama river, and was near at hand, Jackson, on the 22d day of November, left Mobile for the city of New Orleans, where he arrived on the 1st of December; and where his head-quarters were, for the present, established.

## CHAPTER VIII.

Jackson's correspondence with the governor of Louisiana.—His address to the citizens.—Militia from Tennessee and Kentucky advance, and general plans adopted for defence.—Plan for filling deficiencies in the army.—British shipping arrive on the coast.—Loss of the Sea Horse.—Battle on the lake, and loss of the gun boats.—Jackson reviews the militia.—His address to them.—Detention of his flag.—Anecdote.—Expresses sent to Generals Coffee and Carroll.—Declaration of Martial law at New Orleans.—The British effect a landing, and Jackson prepares to meet them.

GENERAL JACKSON was now on a new theatre, and soon to be brought in collision with an enemy different from any he had yet encountered: the time had arrived to call forth all the energies he possessed. His military career, from its commencement, had been obstructed by innumerable difficulties, but far greater were now rising to his view. His body worn down by sickness and exhaustion, with a mind constantly alive to the apprehension, that, with the means given him, it would not be in his power to satisfy his own wishes, and the expectations of his country, were circumstances well calculated to depress him. He was as yet without sufficient strength or preparation, to attempt successful opposition against the numerous and well-trained troops which were expected shortly at some unprepared point, to enter and lay waste the lower country. What was to be hoped from the clemency and generous conduct of such a foe, their march to the city of Washington already announced; while the imagination portrayed in lively colours a repetition in the south of

scenes of desolation, even surpassing what had previously been witnessed.

No troops, arms, or ammunition had yet descended from the states of Kentucky and Tennessee. His only reliance for defence, if suddenly assailed, was on the few regulars he had, the volunteers of General Coffee, and such troops as the state itself could furnish. What might be the final result of things, under prospects gloomy as the present, should an enemy shortly appear, was not a matter of difficult conjecture. His principal fears were, that Mobile might fall, the left bank of the Mississippi be gained, all communication with the western states cut off, and New Orleans thus unavoidably be reduced. Although continually agitated by such forebodings, he breathed his fears to none. Closely locking all apprehensions in his own breast, he appeared constantly serene, and as constantly endeavoured to impress a general belief, that the country could and would be successfully defended. The manifestation of such tranquillity, and his avowed certainty of success, under circumstances so unpropitious, excited strong hopes, dispelled every thing like fear, and impressed all with additional confidence.

With the remnant force he had at command, and the additional strength to be afforded from Kentucky and Tennessee, uncertain in its arrival, undisciplined and unarmed, to oppose an enemy who might be already on the coast, and of whose exceeding valour great and wondrous stories had been told, might have sunk into inaction a mind not gifted with uncommon and extraordinary energy, and made it to retire from a contest, where seemingly insurmountable difficulties but rendered delusive every hope of resistance: yet, firm and resolute, an increase of difficulties but occasioned an increase of exertion, and Jackson entered on his forlorn undertaking with no other determination, than to leave nothing unassayed that might enable him to ride out the threatening storm in safety.

While engaged on the Mobile, and even while at Fort Jackson, he had kept up a correspondence with the governor of Louisiana, persuading and urging him to the adoption of such measures as might be calculated to give security to the state. From the information derived through this source, he felt assured that little reliance was to be placed on the great body of the citizens; and that to gain any decisive advantages from their services,

it would be necessary to abandon every thing like temporizing policy, and pursue a course at once steady and unwavering. Some of the inhabitants, entertaining a belief that Florida would shortly be restored to Spain; and a still greater number being tremblingly alive to the opinion that the country could not be successfully defended, had led many well designing men astray; while Englishmen, Spaniards, and innumerable other foreigners, feeling no attachment to the government, were, at any time, ready to surrender it to any power that might venture to invade. The requisition made, had been badly filled; many had absolutely refused, even after being drafted, to enter the ranks. At so eventful a crisis as that which was fast approaching, it was painful to discover so great a want of union and disregard of duty; in those very persons upon whom he would be compelled to rely, on any sudden emergency. This reluctance to entering the field, there was a propriety in putting down, that the good might not be led astray from privileges usurped by the designing; and to convince the disaffected that those who shared the care and protection of the government, should defend it when required.

Governor Claiborne had been addressed on this subject; and, while the necessity of discouraging every improper temper of mind among the citizens was insisted upon, he was exhorted to use his exertions in guarding every pass from the city, that the enemy, hovering in the gulf, might not obtain supplies from the shore. "I regret," said he, "to hear of the discontents of your people: they must not exist. Whoever is not for us, is against us. Those who are drafted must be compelled to the ranks, or punished: it is no time to balance: the country must be defended; and he who refuses to aid, when called on, must be treated with severity. To repel the danger with which we are assailed, requires all our energies, and all our exertions. With union on our side, we shall be able to drive our invaders back to the ocean. Summon all your energy, and guard every avenue with confidential patrols, for spies and traitors are swarming around. Numbers will be flocking to your city, to gain information, and corrupt your citizens. Every aid in your power must be given to prevent vessels sailing with provisions. By us, the enemy must not be fed. Let none pass; for on this will depend our safety, until we can get a competent force in the field to

oppose attack, or to become the assailants. We have more to dread from intestine, than open and avowed enemies: but, vigilance on our side, and all will be safe. Remember, our watch word is victory or death. Our country must and shall be defended. We will enjoy our liberty, or perish in the last ditch."

He forwarded, at the same time, an address to the people of Louisiana, and endeavoured to excite them to a defence of their rights and liberties, and to raise in their minds an abhorrence of an enemy, who, by proclamation, and dishonourable stratagem, had sought to promote disunion, and to draw the disaffected to their standard. He pointed out the course the present crisis required to be adopted, and entreated them not to be lured from their fidelity to a country, of all others, the freest and happiest, by uniting with a foe, who sought a furtherance of his views, by the most disreputable pretences—by courting the friendship and aid of even traitors, pirates, and robbers.

"Your government, Louisianians, is engaged in a just and honourable contest, for the security of your individual, and her national rights. The only country on earth, where man enjoys freedom, where its blessings are alike extended to the poor and rich, calls on you to protect her from the grasping usurpation of Britain:—she will not call in vain. I know that every man, whose bosom beats high at the proud title of freeman, will promptly obey her voice, and rally round the eagles of his country, resolved to rescue her from impending danger, or nobly to die in her defence. He who refuses to defend his rights, when called on by his government, deserves to be a slave—deserves to be punished, as an enemy to his country—a friend to her foes."

The minds of the people were thus gradually turned to consider of the contest, in which it was certainly expected they were shortly to be engaged, that they might be ready and prepared to meet it, when the period should arrive to render it necessary. Preparations for collecting, in sufficient strength, to repel an invasion, when it should be attempted, had been carried actively forward. The fiat of the secretary of war had been issued to the governors of the adjoining states; and Jackson had long since anxiously pressed them to hasten the execution of the order, and push their forces to the place of danger, with-



out delay. The ardour felt by the governor of Tennessee, rendered any incentive unnecessary. He was well aware of the importance of activity and exertion, and had used all the authority of his office, to call the requisition forth, and have it in readiness, speedily as possible.

Governor Shelby, of Kentucky, had been vigilant in discharge of the duty required of him. The necessity of despatch, in military matters, in youth and more advanced age, he had studied and learned in the field of battle. The troops from his state were organized;—placed under the command of Major General Thomas, and directed to proceed and resist the inroads of the enemy. It may be esteemed a circumstance of good fortune, that at a time so perilous as that in which the United States were placed, during the period of his services, Shelby should have been the chief magistrate of Kentucky; a state possessing ample resources, and which might have slumbered in inaction, but for the energy of him who filled her executive chair. He did not remain contented with a discharge merely of those duties which were imposed by his office; but, feeling the ardour of his youth revived, excited his citizens by manly appeals, and inspirited them by his example. The government had never called upon the patriotism of this state that it had not been met with a becoming zeal, and cheerfully and promptly acquiesced in by the people. The bravery, and promptitude, with which they crowded to the American standard, at the onset of danger, where they firmly supported the honour of the nation, enduring cold, and hunger, and every privation, merit to be remembered, and entitle her citizens to the gratitude of the country.

General Carroll had issued orders to his division, and, on the 19th of November, the day appointed for their rendezvous, twenty-five hundred of the yeomanry of the state appeared at Nashville; and, in eight days, embarked on board their boats, and directed their way to the place of their destination. To the industry of General Carroll, in hastening those arrangements, which enabled his division so promptly to depart, every respect is due; for, to his fortunate arrival, is greatly to be attributed the reason that success did not result to the enemy.

The militia, from those two states, were highly respectable for their numbers, and were commanded by officers who carried with them entire confidence. In bravery, they were not surpassed by any troops; yet were they without

experience or discipline, and indifferently armed. Many had procured muskets and bayonets; though the greater part of them had arms capable of rendering little or no service. To remedy their want of discipline was attended with some difficulty, on account of the slender means afforded for instruction, while, in boats, they were descending the river. Carroll's anxiety for the respectable appearance of his troops, and a still stronger desire entertained, that they might be in a situation for immediate action, if necessity, on his arrival, should require it, led him to seize even on the limited opportunities for improvement that were within his reach. Whenever, from adverse winds, he was compelled to stop, his men were immediately brought to receive every information that could, under such circumstances, be communicated; and often, while floating with the stream, the decks of the boats formed a field for their manœuvres. Although in this way, partial progress was made, and some advantages gained, yet were they inconsiderable; for still were they but militia-men, and unqualified to meet the veteran troops with which they were going to contend.

Although General Jackson had obtained his successes heretofore with troops of this description, yet he was far from entertaining a belief that they could be relied on for manœuvring in an open field, against troops who were skilled, and inured to war. None knew better the point of exertion to which militia could be strained; that while successful and resting with confidence in themselves, none could effect more; but when dispirited, they became a useless mass. Taught by a recollection of the difficulties he had heretofore encountered, and a knowledge that forces of this description are ever capricious and refractory, he had brought to the notice of the secretary of war, a new and different course from what had been before pursued, as more efficient, less expensive, and better calculated for the purposes of defence. In a letter to him, of the 20th of November, 1814, he observes, "Permit me to suggest a plan, which, on a fair experiment, will do away or lessen the expenses, under the existing mode of calling militia forces into the field. Whenever there happens to be a deficiency in the regular force, in any particular quarter, let the government determine on the necessary number: this should be apportioned among the different states, agreeably to their respective representations, and

called into service for, and during the war. The quota wanted will, in my opinion, be soon raised from premiums offered by those who are subject to militia duty, rather than be harassed by repeated drafts. In the mean time, let the present bounty, given by the government, be also continued. If this be done, I will ensure that an effective force shall soon appear in every quarter, amply sufficient for the reduction of Canada, and to drive all our enemies from our shores."

Such was the course of things, and such the plans which were in progress for the security and safety of the country, when the General reached New Orleans. The period was too momentous to afford a respite from business; and he immediately adopted such measures as could be earliest effected, and which were best calculated for resistance and defence.

The legislature of Louisiana were in session; and, through the governor, had been informed of the situation, condition, and strength of the country, and of the necessity of calling all its resources into active operation: but, balancing in their decisions, and uncertain of the best course to be pursued to assure protection, they, as yet, had resolved upon nothing promising certainty and safety, or calculated to infuse tranquillity and confidence in the public mind. The arrival of Jackson, however, produced a new aspect in affairs. His activity and zeal in preparation, and his reputation as a brave and skilful commander, had turned all eyes towards him, and inspired even the desponding with a confidence they had not before felt.

The volunteer corps of the city were reviewed, and a visit, in person, made to the different forts, to ascertain their situation and capability for defence, and the reliance that might be had on them, to repel an enemy's advance. Through the lakes large vessels could not pass: should an approach be attempted through this route, in their barges, it might be met and opposed by the gun boats which already guarded this passage; but if, unequal to the contest, they should be captured, it would, at any rate, give timely information of a descent, which might be resisted at their landing, and before an opportunity could be had of executing fully their designs. The Mississippi was looked upon as the most probable pass through which might be made an attempt to reach the city; and here were in progress suitable preparations for defence.

We have already noticed that Colonel Hayne had been despatched from Mobile with directions to view the Mississippi near its mouth, and report if any advantageous position could be found for the erection of batteries; and whether the re-establishment of the old fort at the Balize would command the river, in a way to prevent its being ascended. That it could not be relied on for this purpose, the opinions of military men had already declared. General Jackson was always disposed to respect the decisions of those, who, from their character and standing, were entitled to confidence; yet, in matters of importance, it formed no part of his creed to attach faith to the statements of any, where, the object being within his reach, it was in his power to look to the fact, and satisfy himself. Trusting implicitly in Colonel Mayne as a military man, who, from proper observation, could infer correct conclusions, he had despatched him thither to examine how far it was practicable to obstruct and secure this channel. The report was confirmatory of previous information received, that it was incapable, from its situation, of effecting any such object.

Fort St. Philip was now resorted to as the lowest point on the river where the erection of a fortification could be at all serviceable. The General had returned on the 9th, from a visit to this place, which he had ordered to be repaired and strengthened. The commanding officer was directed to remove every combustible material without the fort; to have two additional platforms raised; and the embrasures so enlarged that the ordnance might have the greatest possible sweep upon their circles, and be brought to bear on any object within their range that might approach either up or down the river. At a small distance below, the Mississippi, changing its course, left a neck of land in the bend, covered with timber, and which obstructed the view. From this point down to where old Fort Bourbon stood, on the west side, the growth along the bank was directed to be cut away, that the shot from St. Philip, ranging across this point of land, might reach an approaching vessel before she should be unmasked from behind it. On the site of Bourbon was to be thrown up a strong work, defended by five twenty-four pounders, which, with the fort above, would be calculated to expose an enemy to a cross fire, for half a mile. A mile above St. Philip was to be established a work, which, in con-

junction with the others, would effectually command the river for two miles. At Terre au Boeuf, and at the English turn, twelve miles below the city, were also to be taken measures for defence; where it was expected by Jackson, with his flying artillery and fire ships, he would be able certainly to arrest the enemy's advance. This system of defence, properly established, he believed, would ensure security from any attack in this direction. Fort St. Philip, with the auxiliary batteries above and below it, would so concentrate their fires, that an enemy could never pass without suffering greatly, and perhaps being so shattered that they would fall an easy prey to those defences which were still higher up the river. The essential difficulty was to have them commenced and speedily finished. On returning, he hastened to apprise the governor of his views, and of his arrangements, and entreated him to aid in their furtherance. It was proposed to submit it to the consideration of the legislature, and to prevail, if possible, with the planters, to furnish their slaves, by whom, alone, such work could, in so insalubrious a climate, be safely executed. "If what is proposed be performed," said he, "I will stand pledged that the invaders of your state shall never, through this route, reach your city." He desired to be informed, early, of the success of the application, and to know how far the legislature would be disposed to extend their fostering care to the objects suggested; that, in the event of failure, he might have recourse to such resources as were within his reach. "But," added he, "not a moment is to be lost. With energy and expedition, all is safe:—delay, and all is lost."

Aware of approaching danger, the views of the General had been met with becoming zeal, and necessary measures taken, to have the selected points for defence completed in the shortest possible time.

On Lakes Borgne and Pontchartrain, an equally strong confidence was had, that all would be safe from invasion. Commodore Patterson, who commanded the naval forces, had executed every order with promptness and activity. Agreeably to instructions received from the commanding general, to extend to all the passes on the lakes, every protection in his power, Captain Patterson had sent out the gun boats, under Lieutenant Jones. From their vigilance and capability to defend, great advantages were calculated to arise; added to which, the Rigolets, the com-

munication between the two lakes, was defended by Petit Coquille Fort, a strong work, under the command of Captain Newman, which, when acting in conjunction with the gun boats, it was supposed would be competent to repel any assault that might there be waged. The prospects of defence had been improved by detachments sent, with orders to fell timber across every bayou and creek, that led out of the lakes, and through which a passage for boats and barges could be afforded; and to increase the obstruction, by sinking frames in their beds, and filling them with earth. Guards and videttes were posted in different directions to give the earliest information of every thing that passed. In despite, however, of these precautionary measures, treachery opened a way, and pointed the entrance of the enemy to a narrow pass, through which they effected a landing, and reached previously to being discovered, the banks of the Mississippi.

Such were the measures adopted for the protection of Louisiana against an attack, which, although hitherto resting in conjecture, was supported by too many strong circumstances to admit of doubt. Information of a considerable force having left England, filled with high hopes and expectations—the attack on Fort Bowyer, and the inflammatory proclamations already published, with anonymous letters received from persons in the West Indies and Pensacola, known, and to be relied on, all tended to unfold the views of the enemy, and dissipate every thing of doubt as to their designs.\* But the time was at hand when conjecture was giving place to certainty; when the intentions of the invaders were fully developing themselves; and the fact fairly presented, that New Orleans must fall, unless the brave men associated should stand firmly in her defence, resolved to justify the high expectations which had been formed of their valour. Certain information was at hand, of an English fleet being now off Cat and Ship Island, and within a short distance of the American lines, where their strength and numbers were daily increasing.

Lieutenant Jones, in command of the gun boats on Lake Borgne, was directed to reconnoitre, and ascertain their disposition and force; and, in the event they should attempt, through this route, to effect a disembarkation,

\* See Note B.

to retire to the *Rigolets*, and there, with his flotilla, make an obstinate resistance, and contend to the last. He remained off Ship Island, until the 12th of December, when, understanding the enemy's forces were much increased, he thought it advisable to change his anchorage, and retire to a position near Malheureux Island. This was rendered the more necessary, because affording a safer position; and in the event of being attacked, a better opportunity of making good his retreat to the *Rigolets*, where alone he was instructed to attempt opposition. Whoever looks upon a map of the country, will at once discover the importance of this place if driven into action with a greatly superior force. By reaching it, the gun boats would be enabled to present as formidable an opposition as could be waged by any force that could be brought against them.

On the 13th December, Jones discovered the enemy's barges directing their way towards Pass Christian. He was not long in doubt, as to the object probably in view; for, although at first it was supposed to be "a disembarkation, intended to be landed there, yet, on passing it, and pursuing their course still further westwardly, he at once concluded an attack on the gun boats was designed." His orders left him no discretion as to the place he should meet and fight them. Indeed, his flotilla, although quite inconsiderable in numbers, was of too much consequence, at this juncture, to be inadvertently risked, or in fact risked at all, unless under circumstances affording a decided superiority. In no other way was this to be obtained, than by reaching the point to which he had been ordered: this he endeavoured to effect, as soon as he became satisfied of what was intended by their present movement. Weighing his anchors, with the design of reaching the position referred to in his orders, he soon discovered it to be wholly impracticable. A strong wind having blown for some days to the east, from the lake to the gulf, had so reduced the depth of water, that the best and deepest channels were insufficient to float his little squadron. The pangs were resorted to, but without rendering the least assistance: it was immovable. Recourse was now had to throwing every thing overboard that could be spared, to lighten and bring them off; all, however, was ineffectual,—nothing could afford relief. At this moment of extreme peril and danger, the tide coming suddenly in, relieved from present embarrassment, and lifting them

from the shoal, they bore away from the attack meditated; directed their course for the Rigolets, and came to anchor at one o'clock the next morning on the west passage of Malheureux isle; where, at day dawn, they discovered the pursuit had been abandoned.

Early on the morning of the 14th, the enemy's barges, lying nine miles to the east, suddenly weighed their anchors; and, getting under way, proceeded westwardly to the pass, where our gun boats still lay. The same difficulty experienced yesterday was now encountered. Perceiving the approach of the enemy, an attempt was made to retreat; but in vain. The wind was entirely lulled, and a perfect calm prevailed; while a strong current setting to the gulf, rendered every effort to retire unavailing. No alternative was at hand; but a single course was left; to meet and fight them. At once the resolution was adopted, to avail themselves of the best position they could obtain; wait their approach, and defend themselves, whilst there was a hope of success. The line was formed, with springs on the cables, and all were waiting, composedly, the arrival of a foe, who imagined himself advancing to an easy conquest. The contest, in so open and unfavourable a situation, and against so superior a force, promised, indeed, to be an unequal one: yet the firmness and bravery which had always characterized our fearless tars in battle, were, on this occasion, not to be tarnished. An unfortunate state of things, which they could not control, had brought them into battle at a moment, and under circumstances, their discretion did not approve: but, being inevitable, every mind was determined on a desperate stand; and still, though beaten, to preserve unsullied their reputation,—their flag from dishonour.

Forty-three boats, mounting as many cannon, with twelve hundred chosen men, well-armed, constituted the strength of the assailants. Advancing in extended line, they were presently in reach: and, at half after eleven o'clock, the action became general. Owing to a strong current, two of the boats, 156 and 163, were unable to keep their anchorage, and floated about a hundred yards in advance of the line. This circumstance was unfortunate; for although it was by no means to be calculated, that victory could be attendant on a conflict, where strength and numbers were so disproportionate, yet, could the line have been preserved, the chances for de-



fence would have been increased—the opportunity more favourable for inflicting injury, and crippling the foe, while the period of contest would have been protracted. Every moment this could be prolonged would have proved advantageous; for soon as the wind should spring up, which yet continued lulled, the boats would be rendered more manageable, and an opportunity afforded of retiring from the battle, whenever the result promised to become disastrous.

The enemy advanced in three divisions. Our gun boats formed in a line, were under command of Lieutenant Jones, who, on board, No. 156, occupied the centre. No. 162 and 163 rested on his left, under the direction of Lieutenant Spedden and Sailing-master Ulrich; on his right was No. 5 and 23, commanded by Sailing-master Ferris and Lieutenant M'Iver. The centre division of the enemy, led by the senior officer of the expedition, Captain Lockyer, bore down on No. 156, the centre of our line, and twice attempting, to board, was twice repulsed with an immense destruction of both officers and crew, and the loss of two of their boats which were sunk: one a seventy-four's launch, crowded with men, went down immediately along side of the gun boat. Jones being too severely wounded longer to maintain the deck, retired, leaving the command with George Parker, who no less valiantly defended his flag, until badly wounded, he was also compelled to leave his post; and soon after the boat was carried. No. 163, though ably defended, was also taken; and the guns of both turned on No. 162, and 5, which also surrendered; and last of all No. 23, commanded by Lieutenant M'Iver. Thus in detail was our little squadron, after a conflict of nearly an hour, lost; a conflict in which every thing was done that gallantry could do, and nothing unperformed that duty required; but it was a disaster which, under all the circumstances, could not be avoided. The calm which prevailed, and the unwieldy condition of the boats which prevented any management by the oars, took away all opportunity of their aiding and sustaining each other; while the enemy's barges, with great facility, were able to avail themselves of the advantages of position: besides this, from our centre gun boat, much aid was obtained; having carried her, the flag was kept flying, and under it, her guns were used against the other boats, a circumstance which was not discovered for some time,

nor until after repeated discharges of her cannon had been made, and material injury produced.

The commandant was ably supported by the officers associated with him. Lieutenants Spedden and M'Iver were wounded; the former in both arms, and in one so severely, as to be compelled to have it amputated: yet this valiant officer to the last continued his orders; nor did the latter quit for a moment his post. Midshipmen Cauley and Reynolds, young men of spirit and promise, fell victims to the wounds received in this contest. But it is unnecessary to take up the time of the reader in commendation of this Spartan band: their bravery and good conduct will be long remembered and admired, and excite emotions much stronger than language can paint. The great disparity of force between the combatants, added to the advantages the enemy derived from the peculiar construction of their boats, which gave them an opportunity to take any position that circumstances and safety directed, while the others lay wholly unmanageable, presents a curious and strange result; that, while the American loss was but ten killed, and thirty-five wounded, that of their assailants was not less than three hundred. The British have never presented any report upon this subject: but, from every information, and from all the attendant circumstances of the battle, it was even believed to have exceeded this number; of which, a large proportion was officers.\*

The British returned to their shipping, at Cat Island, with their prisoners, carrying with them a convincing argument, to do away the belief with which they had arrived, that, in this section of country, the inhabitants were waiting, with open arms, to receive them.

This disaster was announced to General Jackson, while on a visit to the lakes, whither he had gone to examine the situation of the different works, there erected and in progress. He heard it with much concern; for on it important considerations depended. The means of watching the enemy, and ascertaining his projects, were now cut

	Boats.	Men.	Guns.
The British had	43	1200	43
The Americans	5	182	23
Difference	38	1018	20

off, and the necessity imposed of resorting for defence and safety, in this direction, to entirely different means.

Aided by ours, and the great number of their own boats, his fears for the safety of Mobile were much increased. The apprehension which he had constantly entertained for this place were of the most lively kind. Although he had every confidence in the gallant officer who commanded at Fort Bowyer, yet he well knew how inefficient were the exertions of a brave man, when assailed by superior strength and numbers. The importance of the place and its security, was to him a matter of the greatest concern. It seems to have been an object that never sufficiently fastened itself on the consideration of the enemy, or indeed our own government. His own apprehensions of an invasion here, as affecting much more seriously the interest of the lower country, was to him a cause of constant uneasiness. He felt confident, that while this point remained safe, so might the country adjacent; but if it fell, the Indians might again be excited,—the settlements on the Mobile and Alabama rivers become tributary, and New Orleans be involved in the general ruin. Deeply impressed with the importance of properly defending this place, he had heretofore brought to the view of the secretary of war, the propriety and necessity of adopting such a course as should place it entirely out of the reach of danger. To effect this, he proposed that a large frigate, mounting forty-four guns, which, for some cause, to him unknown, had been left on the stocks, at Tchifonte, in an unfinished state, should be completed, and applied to this purpose. "Let her," he remarked, "be placed in the Navy Cove, which will protect the rear of the fort; and my life upon it, ten thousand troops, and all the British fleet, cannot take the place, nor enter the bay. This will be their point of attack; if carried, they will penetrate the Indian nation,—there make a stand, and incite the savages to war, and the slaves to insurrection and massacre;—penetrate, if they can, to the left bank of the Mississippi, and arrest all communication. If they succeed in this, the lower country falls of course." No notice, however, was ever taken of his admonition, and nothing done to effect the object proposed. His entire defence and safety rested on the means which he himself could reach. An express was immediately despatched to General Winchester, apprising him of what had happened; that all

communication being cut off, he must look to the procuring supplies for his army through the posts established in the Creek country. "The enemy," he continues, "will attempt, through Pass Huron, to reach you: watch, nor suffer yourself to be surprised; haste, and throw sufficient supplies into Fort Bowyer; and guard vigilantly the communication from Fort Jackson, lest it be destroyed. Mobile point must be supported and defended, at every hazard. The enemy has given us a large coast to guard; but I trust, with the smiles of heaven, to be able to meet and defeat him at every point he may venture his foot upon the land."

Increased vigilance and enlarged exertions were now required to guard the different routes through which they might seek to make good their progress, and reach the object of their visit. Major Lacoste, commanding the battalion of coloured troops, was ordered, with two pieces of cannon and a sufficient force, to take post on and defend the Chef Menteur road, that led from the head of Lake Borgne to New Orleans. In fact, wherever an inlet or creek, of the smallest size, putting in, justified the belief, that through it an entrance might be effected, arrangements were made to obstruct the passage, and prevent approach. Through the Rigolets was presumed the most probable route the enemy would adventure, that, by gaining Lake Pontchartrain, a landing might be made above or below the city, or at bayou St. John, directly opposite; and, by a division of their forces, and assaulting different points, make such a diversion, as, with raw troops, could not be resisted under any circumstances of advantage.

This place had been confided to Captain Newman, of the artillery. It was an important point, as well for the purposes already named, as being a position whence any movement on the lakes could be discovered. On the 22d, it was reinforced by several heavy pieces of cannon, and an additional supply of men. He was advised by the General of the consequence attached to it, and that it was not to be inconsiderately yielded; but that, in the event of his being compelled to abandon it, every thing being properly secured, he was to make good his retreat to Chef Menteur, where he would be covered by an additional force: "But," added he, "you are not to retreat until your

judgment is well convinced, that it is absolutely necessary to the very salvation of your command."

On the 16th the militia were reviewed by Jackson. He had perceived, on his arrival at New Orleans, such despondency manifested, that to remove it had called forth all his exertions. His active and incessant endeavours to have defended every accessible point, and a confidence, constantly evinced, that his resources were commensurate with all the purposes of successful resistance, had completely undermined those fears, at first so generally indulged. Lest, from the loss which had lately happened on the lakes, doubt and despondency might be again produced, was the principal cause of his appearing to-day, on review; to convince them, by his deportment, that the safety of the city was not to be despaired of. He directed an address to be read, which he had previously prepared for the purpose. It was drawn in language breathing the warmth of his own feelings, and calculated to communicate and inspire the same glow to others. He told them they were contending for all that could render life desirable; "For your property and lives;—for that which is dearer than all, your wives and children;—for liberty, without which, country, life, and property are not worth possessing. Even the embraces of wives and children are a reproach to the wretch who would deprive them, by his cowardice, of those inestimable blessings. You are to contend with an enemy who seeks to deprive you of the least of these—who avows a war of vengeance and desolation, carried on and marked by cruelties, lusts, and horrors, unknown to civilized nations.

"Natives of the United States! the enemy you are to contend with are the oppressors of your infant political existence—they are the men your fathers fought and conquered, whom you are now to oppose. Descendants of Frenchmen! natives of France! they are English, the hereditary, the eternal enemies of your ancient country, the invaders of that you have adopted, who are your foes. Spaniards! remember the conduct of your allies at St. Sebastian, and recently at Pensacola, and rejoice that you have an opportunity of avenging the brutal injuries inflicted by men who dishonour the human race. Louisianians! your general rejoices to witness the spirit that animates you, not only for your honour, but your safety; for whatever had been your conduct or wishes, his duty

would have led, and yet will lead him to confound the citizen, unmindful of his rights, with the enemy he ceases to oppose. Commanding men who know their rights, and are determined to defend them, he salutes you as brethren in arms; and has now a new motive to exert all his faculties, which shall be strained to the utmost in your defence. Continue with the energy you have begun, and he promises you not only safety, but victory over an insolent foe, who has insulted you by an affected doubt of your attachment to the constitution of your country. Your enemy is near; his sails already cover the lakes: but the brave are united; and if he find us contending among ourselves, it will be for the prize of valour,—and fame, its noblest reward."

Resistance on the lakes being at an end, no doubt was entertained but that the moment for action would be as early as the enemy could make his preparations to proceed. At what point, at what time, and with a force how greatly superior to his own, were matters wholly resting in uncertainty, and could not be known until they should actually transpire. The means for opposition, therefore, were to be seized on without delay, or resistance would be useless.

That the hour of attack was not far distant, was confirmed by a circumstance which reflects no considerable honour on the officer in command of the fleet. The day subsequent to the contest on the lakes, Mr. Shields, purser in the navy, had been despatched with a flag, to Cat Island, accompanied by Dr. Murrell, for the purpose of relieving our wounded, and to effect a negotiation, by which they should be liberated on parole. We are not aware that such an application militated against the usages and customs of war: if not, the flag of truce should have been respected; nor ought its bearer to have been detained as a prisoner. Admiral Cochrane's pretended fear that it was a ruse, designed to ascertain his strength and situation, are far from presenting any sufficient excuse for so wanton an outrage on propriety and the rules of war. If this were apprehended, could not the messengers have been met at a distance from the fleet, and ordered back without a near approach? Had this been done, no information could have been gained, and the object designed to be secured by the detention would have been answered, without infringing that amicable intercourse between contending armies, which, when violated or disregarded, opens a

door to brutal and savage warfare. Finding they did not return, the cause of it was at once correctly divined.

The British admiral was solicitous, and resorted to various means to obtain from these gentlemen information of the strength and disposition of our army; but so cautious a reserve was maintained, that from them nothing could be elicited. Shields was perceived to be deaf, and calculating on some advantage to be derived from this circumstance, he and the Doctor were placed at night in the green room, where any conversation which occurred could readily be heard. Suspecting, perhaps, something of the kind, after having retired, and every thing was seemingly still, they began to speak of their situation—the circumstance of their being detained, and of the prudent caution with which they had guarded themselves against communicating any information to the British admiral. But, continued Shields, how greatly these gentlemen will be disappointed in their expectations, for Jackson with his twenty thousand troops, and the reinforcements from Kentucky, which must speedily reach him, will be able to destroy any force that can be landed from these ships. Every word was heard, and treasured, and not supposing there was any design, or that he presumed himself overheard, they were beguiled by it, and at once concluded our force to be as great as it was represented; and hence no doubt arose that prudent care and caution with which the enemy afterwards proceeded; for, as was remarked by a British officer, the actual strength of General Jackson's army, though repeatedly sought after, could never be procured; it was a desideratum not to be obtained.

Early on the 15th, expresses were sent off up the coast, in quest of General Coffee,—to endeavour to procure information of the Kentucky and Tennessee divisions, which it was hoped were not far distant, and to urge their speedy approach. In his communication to Coffee, the general observes, "You must not sleep, until you reach me, or arrive within striking distance. Your accustomed activity is looked for. Innumerable defiles present themselves, where your services and riflemen will be all important. An opportunity is at hand, to reap for yourself and brigade the approbation of your country."

In obedience to the order he had received at Mobile, to occupy some central position, where his horses could be subsisted, and whence he might act as circumstances

should require, Coffee had proceeded as far as Sandy creek, a small distance above Baton Rouge, where he had halted. His brigade, on its march, had been greatly exposed, and many and various hardships encountered. The cold season had set in; and, for twenty days it had rained incessantly. The waters were raised to uncommon heights, and every creek and bayou was to be bridged or swam. Added to this, their march was through an uncultivated country, but thinly settled, where little subsistence was to be had, and that procured with much difficulty. He had been at this place eight or ten days, when, late on the evening of the 17th, the express despatched from head-quarters reached him. He lost no time in executing the order; and, directing one of his regiments, which, for the greater convenience of foraging, had encamped about six miles off, to unite with him, he was ready in the morning, and proceeded on his march the instant it arrived. In consequence of innumerable exposures, there were, at this time, three hundred on the sick list. These being left, he commenced his advance with twelve hundred and fifty men. The weather yet continued extremely cold and rainy; which prevented their proceeding with the celerity the exigency of the moment so much required. Coffee, perceiving that the movement of his whole force in a body, might occasion delays, ruinous to the main object in view, ordered all who were well mounted, and able to proceed, to advance with him; while the rest of his brigade, under suitable officers, were left to follow as fast as the weak and exhausted condition of their horses would permit. His force, by this arrangement, was reduced to eight hundred men, with whom he moved with the utmost industry. Having marched seventy miles the last day, he encamped on the night of the 19th, within fifteen miles of New Orleans, making in two days a distance of one hundred and twenty miles. Continuing his advance, early next morning, he halted within four miles of the city, to examine the state and condition of his arms, and to learn, in the event the enemy had landed, the relative position of the two armies.

These brave men, without murmuring, had now traversed an extent of country nothing short of eight hundred miles, and under trials sufficiently severe to have appalled the most resolute and determined. They had enrolled themselves, not as volunteers sometimes do, to frolic, and



by peaceable campaigns to gain a name in arms—they had done it, knowing that an enemy, if not already at hand, was certainly expected, with whom they would have to contend, and severely. Great reliance was had on them by the commanding general; and their good conduct, in the different situations in which they had acted was a proof how much they deserved it. On inspecting their arms, which consisted principally of rifles, two hundred were discovered to be so materially injured by the weather, as to be unfit for service.

The advance of colonel Hinds, from Woodville, with the Mississippi dragoons, was no less prompt and expeditious; an active and brave officer, he was, on this, as on all other occasions, at his post, ready to act as circumstances should require. Having received his orders, he hastened forward, and effected in four days, a march of two hundred and thirty miles.

On the 16th, colonel Hynes, reached head-quarters, with information from general Carroll, that he would be present as early as possible; but that the state of the weather, and contrary winds, greatly retarded his progress. To remedy this, a steam boat was put in requisition, and ordered to proceed up the river to aid him in reaching his destination, without loss of time. He was advised of the necessity of hastening rapidly forward; that the lakes were in possession of the enemy, and their arrival daily looked for: "But," continued Jackson, "I am resolved, feeble as my force is, to assail him, on his first landing, and perish sooner than he shall reach the city."

Independent of the large force which was descending with general Carroll, his approach was looked to with additional pleasure, from the circumstance of his having with him a boat laden with arms, destined for the defence of the country, and which he had overtaken on passing down the Mississippi. His falling in with them was fortunate; for, had their arrival depended on those to whom they had been confided, they might have arrived too late, and after all danger had subsided; as was indeed the case with others, forwarded from Pittsburg, which, through the unpardonable conduct of those who had been entrusted with their transportation, did not reach New Orleans until after all difficulties had terminated. Much inconvenience was sustained, during the siege, for want of arms to place in the hands of the militia: great however as it was, it

would have been increased, even to an alarming extent, but for the accidental circumstance of this boat having fallen in with the Tennessee division, which impelled it on, and thereby produced incalculable advantage.\*

This division, had left Nashville on the 19th of November. Their exertions, without which they could not have arrived in time to afford that assistance and protection, which the peril of the moment so much required, entitle them and their commander to every gratitude. But above all is our gratitude due to that benign Providence, who, having aided in the establishment of our glorious independence, again manifested his goodness and power in guarding the rights of a country rendered sacred by the blood of the virtuous, heretofore shed in its defence. It rarely, if ever happens, that the Cumberland river admits a passage for boats so early in the season; but torrents of

\* On the first intimation that the British intended a descent on this section of the United States, General Jackson suggested to the secretary of war the scarcity of both arms and ordnance, and the necessity of having the deficiency remedied as soon as possible. Mr. Monroe, then secretary of war, had given the earliest attention to the subject, and ordered an ample supply to be embarked from Pittsburg, sufficiently early to have reached head-quarters previously to the enemy's landing. Their transportation down the western waters had been confided to those who felt not sufficient concern for their speedy arrival to use the necessary diligence. Whether the government had given any such orders, or that it were a piece of penny-wise economy suggested by the quarter-master, we do not know. The fact, however, is, that a steam vessel, sailing with much expedition, proposed to carry and deliver them at New Orleans in eighteen days, which would have been in time for all the purposes afterwards needed. But the officer who had the management of this business, because it was in his power to save an inconsiderable sum in freight, preferred delivering them to the captain of a large flat bottomed boat, which moved slowly, and which, withal, it was understood, would occasionally stop on the way to traffic and trade off the different articles with which she was laden. On all occasions, we would commend economy, when founded on correct principles: but that minister or agent of the government, who, to save a partial expense, hazards the loss of thousands; or who, through parsimonious views of any kind whatever, risks the loss of a whole country, evidences so weak and narrow-sighted a policy, as can on no ground be justified. The general, in a letter to the secretary of war, after the battle of the 8th, remarks, that if he had had a sufficiency of arms, he would have captured or destroyed the whole British army; and this he might have had, if the agents of the government had executed the duties confided to them on a scale enlarged and liberal as the crisis demanded.

rain descending, swelled the stream, and wafted our troops safely to the Mississippi, where all obstructions were at an end. An apprehension entertained lest the blow might be stricken, and the injury done, before they could reach their destined point, had inspired our troops with an alacrity and exertion which brought them rapidly to the place of danger and usefulness.

While these preparations were progressing, to concentrate the forces within his reach, the General was turning his attention to ward off any blow that might be aimed, before his expected reinforcements should arrive. Every point, capable of being successfully assailed, was receiving such additional strength and security as could be given. Patroles and videttes were ranged through the country, that the earliest intelligence might be had of any intended movement. The militia of the state were called out *en masse*; and, through the interference of the legislature, an embargo on vessels at the port of New Orleans was declared, to afford an opportunity of procuring additional recruits for the navy. General Villery, because an inhabitant of the country, and best understanding the several points on the lakes susceptible of defence, was ordered, with the Louisiana militia, to search out, and give protection to the different passes, where a landing might be effected.

To hinder the enemy from obtaining supplies on the shore, a detachment was sent to Pearl River, to prevent any parties from landing until the stock could be driven from the neighbourhood. The precaution, for some time used, of restricting the departure of any vessel with provisions, under the operation of the embargo imposed by the legislature, had greatly disappointed the expectations of the British, and even introduced distress into Pensacola, whence the Spaniards had been in the habit of procuring their supplies. The governor had solicited the opening a communication, for the relief of the suffering inhabitants of his province. Although he had given no flattering evidence, either of friendship, candour, or sincerity, yet the statement offered by him might be correct; and if so, the neutrality of his country established a well-founded claim to the benevolence of the Americans. Jackson, aware that this appeal to his humanity might be a stratagem designed to aid the enemy, and balancing between a desire that these people should not be seriously

injured, and a fear that the application was intended for a different purpose than was avowed, he determined to err on the side of mercy, and, as far as possible, to relieve their wants. This he directed General Winchester, at Mobile, to effect, provided his stock of provisions would permit it. It was particularly enjoined on him that the quantity of provisions sent should be small, and to be conveyed by water: "For," said he, "if the Spaniards are really in distress, and the supply sent shall be taken by the British, it will excite their just indignation towards them, and erase all friendship, while they will be afforded an additional proof of ours: the supply too being inconsiderable, even if captured, will prove of no great benefit to our enemy."

Jackson's arrangements were well conceived, and rapidly progressing; but they were still insufficient; and his own forebodings assured him, that, to obtain security, something stronger than had been yet resorted to, required to be adopted. That there was an enemy in the midst of his camp, more to be feared than those who were menacing from abroad, was indeed highly probable; while an apprehension indulged, that there were many foreigners, who, feeling no attachment for the country, and having nothing to defend, would not scruple to avail themselves of every opportunity to give intelligence of the strength, situation, and arrangement of his camp, excited his fears, and induced a wish to apply the earliest possible corrective. A stranger himself, his own conjectures might not have led to the conclusion; but information received, before and soon after his arrival, through different channels, and particularly from the governor of the state, had awakened a belief, that the country was filled with disaffected persons, who, if not closely guarded, might occasion the worst of consequences. Although he had been in possession of *data*, sufficiently strong to confirm him in the opinion, that the facts and circumstances disclosed were of a character truly as had been represented, until now, no urgent necessity had arisen, rendering a resort to rigid measures essential to the general safety. Abundant evidence of prevailing disaffection had been already obtained, through Governor Claiborne. In a letter to General Jackson, after his return from Pensacola, he observed, "Enemies to the country may blame your prompt and energetic measures; but in the person of every patriot,

you will find a supporter. I am well aware of the lax police of this city, and indeed of the whole state, with respect to strangers. I think, with you, that our country is filled 'with traitors and spies.' On this subject, I have written pressingly to the city authorities and parish judges. Some regulations, I hope, will be adopted by the first, and greater vigilance be exercised, in future, by the latter."

Never, perhaps, all the circumstances considered, did any general advance to the defence and protection of a people situated in his own country, where greater room was had to distrust the success of the event, and believe all efforts hopeless. That there should be found, at all times, and in all places, an inconsiderable few who would not withhold their assent to a change in the form of any government, under which they might live, is not a circumstance to excite surprise. Some could be induced to it, if for no other reason, to alter a condition in life, which if not improved, might not be rendered worse: and in our country particularly, where foreigners are freely and readily admitted to all our rights and privileges, many of whom have been allured, not by attachment, but from motives of cupidity, may we have cause to regret a want of union and energy at those periods when they shall be mostly needed. That disaffection, however, should be found in our national councils, is a source of increased regret, and causes it to assume a character of deeper danger. When, therefore, General Jackson was informed by the governor, that the legislature, instead of discharging with alacrity, diligence, and good faith, the duties which had been confided to them by their constituents, had, under the garb of privilege, endeavoured to mar the execution of measures the most salutary, he might well conclude the country in danger, and suspect a want of fidelity in her citizens. Upon the yeomanry alone must every country depend for its liberty: they are its sinews and its strength. Let them continue virtuous, and they will cheerfully, nay, fearlessly, maintain themselves against aggression; but if they become corrupted, or through the intrigue or misconduct of their rulers lose confidence in their government, forthwith their importance and value is impaired. While the people of Rome felt themselves freemen, and proud of the name of citizens, Rome was invincible: and to descend to times more modern the

strength of France was an overmatch for combined Europe, only while Frenchmen had confidence in, and regard for their government, and felt that they were a constituent part of it.

Although we would gladly draw a veil over the conduct of the legislature of Louisiana, and forgive their error, yet it is difficult, nor is it necessary, to forget, that on a former occasion, at a moment of threatened and expected danger, they exerted themselves against the establishment of any system of defence. General Flournoy then commanded. Apprehending invasion, he applied to the governor for whatever aid the state could afford. Constitutional resources were attempted, and efforts made to draw out the militia; they resisted the requisition: and that resistance so far from being discountenanced by the legislature then in session, was promoted and encouraged, by their assuming to themselves the right of declaring the demand to be illegal, unnecessary, and oppressive. When popular resentment is once awakened, and opposition to measures once begun, the slightest encouragement impels it forward; but when the authorities of a state become abettors, and by their conduct and expressions give it sanction, the delusion is increased, and forthwith it swells beyond the bounds where reason can control. Thus supported, the militia, as might have been expected, stood their ground, and resolutely resisted the call to defend their country. The example thus established had already induced the conviction that they were privileged, and had reserved to them, on all occasions, when called for, the right of determining if the call were regular, why and wherefore made, where they would prefer to act, and to be governed accordingly. When, therefore, the first requisition made by Jackson was attempted to be filled, a number made a tender of their services as volunteers; but upon condition, that they were not to be marched from the state. The reply made, showed they were to act with a general who knew nothing of temporizing policy, and who would go the entire length that safety and necessity required, and his powers permitted. They were assured his object was to defend the country, and that he should do it at every hazard; that soldiers who entered the ranks with him to fight the battles of their country, must forget the habits of social life, and be willing and prepared to go

wherever duty and danger called; such were the kind of troops he wanted, and none others would he have.

Influenced by these and other considerations, which were daily disclosed; sensible of the danger that surrounded him; and from a conviction founded, as he thought, not upon light considerations, that the country without a most decisive course could not be saved, he brought to the view of the legislature the propriety and necessity of suspending the writ of *habeas corpus*. To attempt himself so new and bold a course, he was satisfied might draw to him the reproofs and censures of the orthodox politicians of the day, and involve him in many and various reproaches. The legislature had already interrupted the commerce by declaring and enforcing an embargo; and the exercise of this subsequent authority, equally necessary with the first, could involve, he supposed, no higher exercise of power than the enactment of an embargo law. He was solicitous, therefore, to relieve himself of the responsibility, by prevailing on the legislature to do that which necessity and the security of the country seemed imperiously to require. They proceeded slowly to the investigation, and were deliberating, with great caution, upon their right, authority, and constitutional power to adopt such a measure, when the General, sensible that procrastination was dangerous, and might defeat the objects intended to be answered, assumed all responsibility, and superseded their deliberations by declaring the city and environs of New Orleans under martial law.

All persons entering the city were required immediately to report themselves to the adjutant-general; and on failing to do so, were to be arrested and detained for examination. None were to depart from it, or be suffered to pass beyond the chain of sentinels, but by permission from the commanding general, or one of the staff: nor was any vessel or craft to be permitted to sail on the river; or the lakes, but by the same authority, or a passport signed by the commander of the naval forces.

The lamps were to be extinguished at nine o'clock at night; after which time, all persons found in the streets, or from their respective homes, without permission in writing, signed as above, were to be arrested as spies, and detained for examination.

At a crisis so important, and from a persuasion that the

country in its menaced situation, could not be preserved by the exercise of any ordinary powers, he believed it best to adopt a course that should be efficient, even if it partially endangered the rights and privileges of the citizen. He proclaimed martial law, believing necessity and policy required it: "Under a solemn conviction that the country, committed to his care, could by such a measure alone be saved from utter ruin; and from a religious belief, that he was performing the most important and sacred duty. By it, he intended to supersede such civil powers, as, in their operation, interfered with those he was obliged to exercise. He thought that, at such a moment, constitutional forms should be suspended, for the preservation of constitutional rights; and that there could be no question, whether it were better to depart, for a moment, from the enjoyment of our dearest privileges, or to have them wrested for ever."

This rigid course was by no means well received. Whether it had for its object good or evil: whether springing from necessity or a spirit of oppression in its author, with many, was not a material question: it was sufficient that they considered it an infraction of the law, to excite their warmest opposition; whilst the long approved doctrine of *necessitas rei* afforded no substantial argument to induce a conviction of its propriety. Whether the civil should yield to military law, or which should have control, with those whose anxious wishes were the safety of the state, was not a matter of deep or serious concern; but to busy politicians, and lukewarm breasts, it opened a field for investigation: and many a fire-side patriot had arguments at command, to prove it an usurpation of power, an outrage upon government, and a violation of the constitution. During the invasion, and while affairs of major importance impended, no occasion was presented of testing its correctness; but soon as the enemy had retired, and before it was ascertained, whether, at some more fortunate and less guarded point, they might not return to renew those efforts which had so lately failed, Dominick A. Hall, judge of the United States' court for the district, determined to wage a war of authority; and to have decided, if, in any event, the civil power could be deprived of supremacy. Jackson presumed his time of too great importance, at so momentous a period, to be wasted in the discussion of such matters. He gave to it,



therefore, the only attention which he believed its officiousness merited, and instead of obeying the command, arrested, and ordered the judge to leave the city. Peace being presently restored, and danger over, the judge renewed the contest; and causing the general to appear before him, on a process of contempt, for detaining and refusing to obey a writ of habeas corpus, amerced him in a fine of a thousand dollars. How far he was actuated by correct motives, in exclusion to those feelings which sometimes estrange the judgment, his own conscience can determine; and how far his proceedings were fair and liberal, will appear hereafter, when, in proper order, we shall be brought to examine this prosecution. For the present, we are confident, that if ever there was a case that could justify or excuse a departure from the law, its features were not stronger than those which influenced General Jackson, in suspending the rights of the citizens. If judge Hall were impelled to the course he took, in defence of the violated dignity of the constitution, and to protect the rights of a government, whose judicial powers he represented, whether right or wrong, he deserves not censure; although it might be well replied, that a more glorious opportunity of showing his devotedness to his country had just passed, when he might truly have aided in defence of her honour, nor left even room for his motives to have been unfairly appreciated.

This strong and efficient measure had not been resorted to from the mere anticipation of danger; already sufficient causes existed; and intrigue and stratagem were busily winding their way into our camp: they were either to be put down, or every hope of successful resistance abandoned. England, never at a loss for varnished statements, to give plausibility to her views, not only held forth the idea that she had come to restore the inhabitants to higher privileges than they enjoyed, but, to render the delusion more complete, through her emissaries, propagated the belief, that, as the friend of Spain, she had come to restore West Florida to its rightful owner, and the citizens to their lawful sovereign. Composed, as our army at this time was, of heterogeneous materials, Frenchmen, Spaniards, and natives, it required constant efforts to keep alive excitement, and ward off despondency. Learning the rumours that had been propagated, and fearing lest they might have an injurious tendency, Jackson imme-

diately circulated an address to his troops, in which he sought to counteract the effect, and preserve their ardour and devotion to their country.

"Believe not," he observed, "that the threatened invasion is with a view to restore the country to Spain. It is founded in design, and a supposition that you would be willing to return to your ancient government. Listen not to such incredible tales: your government is at peace with Spain. It is your vital enemy, the common enemy of mankind, the highway robber of the world, that has sent his hirelings among you, to put you from your guard; that you may fall an easier prey. Then look to your liberty, your property, the chastity of your wives and daughters. Take a retrospect of the conduct of the British army at Hampton, and at other places where it has entered our country—and every bosom, which glows with patriotism and virtue, will be inspired with indignation, and pant for the arrival of the hour when we shall meet and revenge those outrages against the laws of civilization and humanity."

With the exception of the Kentucky troops, which were yet absent, the forces expected had arrived. General Carroll had reached Coffee's encampment, four miles above the city, on the 21st, and immediately reported to the commanding general. The officers were busily engaged in drilling, manœuvring, and organizing the troops, and in having every thing ready for action, the moment it should become necessary. No doubt was entertained, but the British would be able to effect a landing at some point: the principal thing to be guarded against was not to prevent it; for, since the loss of the gun-boats, any attempt of that kind could only be regarded as hopeless: but, by preserving constant vigilance, and thereby having the earliest intelligence of an approach, they might be met at the very threshold, and opposed. Small guard boats were constantly plying on the lakes, to watch, and give information of every movement. Some of these had come in, late on the evening of the 22d, and reported that all was quiet, and that no unfavourable appearance portended in that direction. With such vigilance, constantly exercised, it is truly astonishing that the enemy should have effected an invasion, and succeeded in disembarking so large a force, without the slightest intimation being had, until they were accidentally discovered emerging

from the swamp and woods, about seven miles below the city: why it so happened, treason may conjecture, although the truth is yet unknown. The general impression is, it was through information given by a party of Spanish fishermen, that so secret a disembarkation was effected. Several of them had settled at the mouth of this bayou, and supported themselves by fish which they caught, and vended in the market at New Orleans. Obstructions, as we have already stated, were ordered to be made on every inlet, and the Louisiana militia had been despatched for that purpose. This place had not received the attention its importance merited: nor was it until the 22d, that General Villery, charged with the execution of this order, had placed here a small detachment of men. Towards day, the enemy, silently proceeding up the bayou, landed, and succeeded in capturing the whole of this party, except two, who fleeing to the swamp, endeavoured to reach the city; but, owing to the thick undergrowth of the forest, which rendered it almost impervious, they did not arrive until after the enemy had reached the banks of the Mississippi.

Bayou Bienvenu, through which the British effected a landing, is an arm of considerable width, stretching towards the Mississippi from lake Borgne, and about fifteen miles south-east of New Orleans. It had been reported to General Jackson on the 23d, that, the day before, several strange sail had been descried off Terre au Bœuf. To ascertain correctly the truth of the statement, Majors Tatum and Latour, topographical engineers, had been sent off, with orders to proceed in that direction, and learn if any thing were attempting there. It was towards noon of the 23d, when they started. Approaching General Villery's plantation, and perceiving at a distance, soldiers and persons fleeing hastily away, they at once supposed the enemy had arrived. What, however, was but surmise, was presently, and on nearer observation, rendered certain; and it was now no longer a doubt, but that the British had landed, in considerable force, and actually gained, unobserved, the house of General Villery, on the bank of the Mississippi, where they had surprised and made prisoners, a company of militia who were there posted.

Major Tatum, hastening back, announced the discovery. Preparations to act were immediately made by

- General Jackson, believing that to act speedily, was of the highest importance. Signal guns were fired, and expresses sent forward, to concentrate his forces, resolving that night to meet the invaders and to try his own and their firmness.

## CHAPTER IX.

General Jackson concentrates his forces, and marches to fight the enemy.—Alarms of the city.—Anecdote.—Mode of attack, and battle of the 23d of December.—British reinforcements arrive during the action.—Arrival of General Carroll's division.—Our army retires from the field.—Effects of this battle.—Jackson establishes a line of defence.—General Morgan is ordered on the right bank of the Mississippi.—Destruction and loss of the Caroline schooner.—Battle of the 28th December.—Conduct of the legislature of Louisiana; their deliberations suspended.—Scarcity of arms in the American camp

THE hour to test the bravery of his troops had arrived. The approach of the enemy, flushed with the hope of victory, was announced to Jackson a little after one o'clock in the afternoon. There were too many reasons, assuring him of the necessity of acting speedily, to hesitate a moment on the course proper to be pursued. Could he assail them, and obtain even a partial advantage, it might be beneficial—it might arrest disaffection—buoy up the despondent—determine the wavering, and bring within his reach resources for to-morrow, which might wholly fail, should fear once take possession of the public mind. It was a moment, too, of all others, most propitious to success. He well knew the greater part of his troops were inured to marching and fatigue, while those opposed to him had just been landed from a long voyage, and were as yet without activity, and unfitted for bodily exertion. Moreover, a part only might have arrived from the shipping, while the remainder would be certainly disembarked as early as possible. These circumstances seemed to augment the chances of victory, if now sought; but which if deferred, might, in a little time, disappear. He resolved, at all events, to march, and that night give them

**battle.** Generals Coffee and Carroll were ordered to proceed immediately from their encampment, and join him, with all haste. Although four miles above, they arrived in the city in less than two hours after the order had been issued. These forces, with the seventh and forty-fourth regiments, the Louisiana troops, and Colonel Hinds' dragoons, from Mississippi, constituted the strength of his army, which could be carried into action against an enemy whose numbers, at this time, could only be conjectured. It was thought advisable that General Carroll and his division should be disposed in the rear, for the reason that there was no correct information of the force landed through Villery's canal, and because Jackson feared that this probably might be merely a feint intended to divert his attention, while a stronger and more numerous division, gaining some point higher on the lake, might, by advancing in his absence, gain his rear, and succeed in their designs. Uncertain of their movements, it was essential he should be prepared for the worst, and, by different dispositions of his troops, be ready to resist, in whatever quarter he might be assailed. Carroll, therefore, at the head of his division, and Governor Claiborne, with the state militia, were directed to take post on the Gentilly road, which lead from Chef Menteur to New Orleans, and to defend it to the last extremity.

Alarm pervaded the city. The marching and counter-marching of the troops—the proximity of the enemy—with the approaching contest, and uncertainty of its issue, had excited a general fear. Already might the British be on their way, and at hand, before the necessary arrangements could be made to oppose them. To prevent this, Colonel Hayne, with two companies of riflemen, and the Mississippi dragoons, was sent forward to reconnoitre their camp, learn their position and numbers; and, in the event they should be found advancing, to harass and oppose them at every step, until the main body of the army should arrive.

Every thing being ready, General Jackson commenced his march, to meet and fight the veteran troops of England. An inconsiderable circumstance, at this moment, evinced what unlimited confidence was reposed in his skill and bravery. As his troops were marching to battle through the city, his ears were assailed with screams and cries of innumerable females, who had collected on the

way, and seemed to apprehend the worst of consequences. Feeling for their distresses, and anxious to quiet them, he directed Mr. Livingston, one of his aids-de-camp, to address them in the French language. "Say to them," said he, "not to be alarmed: the enemy shall never reach the city." It operated like an electric shock. To know that he himself was not apprehensive of any fatal result, inspired them with altered feelings; sorrow forthwith was ended, and grief converted into hope and confidence.

The General arrived in view of the enemy a little before dark. Having previously ascertained from Colonel Hayne, who had been sent in advance, their position, and that their strength was about two thousand men,\* he immediately concerted the mode of attack, and hastened to execute it. Commodore Patterson, who commanded the naval forces on this station, with Captain Henly, on board the *Caroline*, had been directed to anchor in front of their line, and open upon them from the guns of the schooner; this being the appointed signal, when given, the attack was to be waged simultaneously on all sides. The fires from the camp disclosed their position, and showed their encampment, formed with the left resting on the river, and extending at right angles into the open field. General Coffee, with his brigade, Colonel Hinds' dragoons, and Captain Beal's company of riflemen, was ordered to oblique to the left, and, by a circuitous route, avoid the pickets, and endeavour to turn their right wing; having succeeded in this, he was directed to form his line, and press the enemy towards the river, where they would be exposed more completely to the fire of the *Caroline*. The rest of the troops, consisting of the regulars, Plauché's city volunteers, Daquin's coloured troops, the artillery under Lieutenant Spotts, supported by a company of marines commanded by Colonel M'Kee, advanced on the road along the bank of the Mississippi, and were commanded by Jackson in person.

General Coffee with silence and caution had advanced beyond their pickets, next the swamp, and nearly reached the point to which he was ordered, when a broadside from

\* This opinion, as it afterwards appeared, was incorrect. The number of the enemy, at the commencement of the action, was three thousand, and was shortly afterwards increased by additional forces: our strength did not exceed two thousand.

the Caroline announced the battle begun. Patterson had proceeded slowly, giving time, as he believed for the execution of those arrangements contemplated on the shore. So sanguine had the British been in the belief that they would be kindly received, and little opposition attempted, that the Caroline floated by the sentinels, and anchored before their camp, without any kind of molestation. On passing the front picket, she was hailed in a low tone of voice, but not returning an answer, no further question was made. This, added to some other attendant circumstances, confirmed the opinion that they believed her a vessel laden with provisions, which had been sent out from New Orleans, and was intended for them. Having reached what, from their fires, appeared to be the centre of their encampment, her anchors were cast, and her character and business disclosed from her guns. So unexpected an attack produced a momentary confusion; but, recovering, she was answered by a discharge of musketry, and flight of congreve rockets, which passed without injury, while the grape and canister from her guns, were pouring destructively on them. To take away the certainty of aim afforded by the light from the fires, these were immediately extinguished, and they retired two or three hundred yards into the open field, if not out of reach of the cannon, at least to a distance, where, by the darkness of the night, they would be protected.

Coffee had dismounted his men, and turned his horses loose, at a large ditch, next the swamp, in the rear of Larond's plantation, and gained, as he believed, the centre of the enemy's line, when the signal from the Caroline reached him. He directly wheeled the columns in, and extending his line parallel with the river, moved towards their camp. He had advanced scarcely more than a hundred yards, when he received a heavy fire, from a line formed in his front; this was an unexpected circumstance, as he supposed the enemy posted principally at a distance, and that the only opposition he should meet, until he approached the levee,\* would be from their advanced pickets.

\* Banks on the margin of the river to confine the stream to its bed; and which are extended along the Mississippi on both sides, from the termination of the highlands, near Baton Rouge. Frequently the river, in its vernal floods, rises above the elevation of the plains, and then the security of the country is dependent on the strength of those

The circumstance of his coming in contact with them so soon, was owing to the severe attack of the schooner, which had compelled the enemy to abandon their camp, and form without the reach of her guns. The moon shone, but reflected her light too feebly to discover objects at a distance. The only mean, therefore, of producing certain effect, with the kind of force engaged, which consisted chiefly of riflemen, was not to venture at random, but to discharge their pieces only when there should be a certainty of felling the object. This order being given, the line pressed on, and having gained a position near enough to distinguish, a general fire was given; it was well directed, and too severe and destructive to be withstood; the enemy gave way, and retreated,—rallied,—formed,—were charged, and again retreated. Our gallant yeomanry, led by their brave commander, urged fearlessly on, and drove their invaders from every position they attempted to maintain. Their general was under no necessity to encourage and allure them to deeds of valour: his own example was sufficient to excite them. Always in the midst, he displayed a coolness and disregard of danger, calling to his troops, that they had often said they could fight—now was the time to prove it.

The enemy, driven by the resolute firmness and ardour of the assailants, had reached a grove of orange trees; with a ditch running past it, protected by a fence on the margin. Here they were formed for battle. It was a favourable position, promising security, and was occupied with a confidence they could not be forced to yield it. Coffee's dauntless yeomanry, strengthened in their hopes of success, moved on, nor discovered the advantages against them, until a fire from the British line discovered their position and defence. A sudden check was given; but it was only momentary, for gathering fresh ardour, they charged across the ditch, gave a deadly and destructive fire, and forced them to retire. The retreat continued, until gaining a similar position, the enemy made another stand, and were again driven from it with considerable loss.

The battle raged on the left wing, until the British reached the bank of the river,; where a determined stand

levees; they not unfrequently break, when incalculable injury is the consequence.



was made, and further encroachments resisted: for half an hour the conflict was extremely violent on both sides. The American troops could not be driven from their purpose, nor the British made to yield their ground; at length, having suffered greatly, the latter were under the necessity of taking refuge behind the levee, which afforded a breast-work, and gave protection from the fatal fire of our riflemen. Coffee, unacquainted with their position, for the darkness had greatly increased, already contemplated again to charge them; but one of his officers, who had discovered the advantage their situation afforded, assured him it was too hazardous; that they could be driven no further, and must, from the point they occupied, resist with the bayonet, and would repel, with considerable loss, any attempt that might be made to dislodge them. The place of their retirement was covered in front by an embankment, which had been extended into the field, to exclude the river, in consequence of the first being encroached upon, and undermined in several places; the former, however, was entire, in many parts, which, interposing between them and the Mississippi, afforded security from the broadsides of the schooner, which lay off at some distance. An apprehension, lest, by moving nearer the river, he might greatly expose himself to the fire of the *Caroline*, which was yet spiritedly maintaining the conflict, induced Coffee to retire until he could hear from the commanding general, and receive his further orders.

During this time, the right wing, under Jackson, had been no less prompt and active. A detachment of artillery, under Lieutenant Spotts, supported by sixty marines, and constituting the advance, had moved upon the road, next the levee. On the left was the seventh regiment of infantry, led by Major Piere. The forty-fourth, commanded by Major Baker, was formed on the extreme left; while Plauche's and Daquin's battalions of city guards, were directed to be posted in the centre, between the seventh and forty-fourth. The General had ordered Colonel Ross, who, during the night, acted in the capacity of brigadier-general, for he was without a brigadier, on hearing the signal from the *Caroline*, to break off by heads of companies, and, on reaching the enemy's line, to deploy, and unite the left wing of his command with the right of General Coffee's. This order was omitted to be executed; and the consequence was an early introduction

of confusion in the ranks, whereby was prevented the important design of uniting the two divisions.

Instead of moving in column from the first position, the troops, with the exception of the seventh regiment, next the person of the General, which advanced agreeably to the instructions given, were formed and marched in extended line. Having sufficient ground to form on at first; no inconvenience was at the moment sustained; but this advantage presently failing, the centre became compressed, and was forced without the line in the rear. The river, from where they were formed, gradually inclined to the left; and diminished the space originally possessed: farther in stood Larond's house, surrounded by a grove of clustered orange trees: this pressing the left, and the river the right wing to the centre, formed a curve, which presently threw the principal part of Plauche's and Daquin's battalions without the line. This inconvenience might have been remedied, but for the briskness of the advance, and the darkness of the night. A heavy fire from behind a fence, immediately before them, had brought the enemy to view. Acting in obedience to orders, not to waste their ammunition at random, our troops pressed forward against the opposition in front, and thereby threw those battalions in the rear.

A fog rising from the river, and which, added to the smoke from the guns, was covering the plain, gradually diminished the little light shed by the moon, and greatly increased the darkness of the night: no clue was left to ascertain how or where the enemy were situated. There was no alternative but to move in the direction of their fire, which subjected the assailants to material disadvantages. The British, driven from their first position, had retired, and occupied another, behind a deep ditch, that ran out of the Mississippi towards the swamp, on the margin of which was a wood railed fence. Here, strengthened by increased numbers, they again opposed the advance of our troops. Having waited until they had approached sufficiently near to be discovered, from their fastnesses they discharged a fire upon the advancing army. Instantly our battery was formed, and poured destructively upon them; while the infantry, pressing forward; aided in the conflict, which at this point was for some time spiritedly maintained. At this moment, a brisk sally was made upon our advance, when the marines, unequal to

the assault, were already giving way. The adjutant-general, and Colonels Piatt and Chotard, with a part of the seventh, hastening to their support, drove the enemy, and saved the artillery from capture. General Jackson, perceiving the decided advantages which were derived from the position they occupied, ordered their line to be charged. It was executed with promptness. Pressing on, our troops gained the ditch, and, pouring across it a well aimed fire, compelled them to retreat, and to abandon their entrenchment. The plain, on which they were contending, was cut to pieces by races from the river, to convey the water to the swamp. The enemy were, therefore, very soon enabled to occupy another position, equally favourable with the one whence they had been just driven, where they formed for battle, and, for some time, gallantly maintained themselves; but which, at length, and after stubborn resistance, they were forced to yield.

The enemy, discovering the firm and obstinate advance made by the right wing of the American army, and presuming perhaps that its principal strength was posted on the road, formed the intention of attacking violently the left. Obliquing, for this purpose, an attempt was made to turn it. At this moment, Daquin's and the battalion of city guards, being marched up, and formed on the left of the forty-fourth regiment, met and repulsed them.

The particular moment of the contest prevented many of those benefits which might have been derived from the artillery. The darkness of the night was such, that the blaze of the enemy's musketry was the only light afforded by which to determine their position, or be capable of taking our own to advantage; yet, notwithstanding, it greatly annoyed them, whenever it could be brought to bear. Directed by Lieutenant Spotts, a vigilant and skillful officer, with men to aid him who looked to nothing but a zealous discharge of their duty, the most essential and important services were rendered.

The enemy had been thrice assailed and for nearly a mile compelled to yield their ground. They had now retired, and, if found, were to be sought for amidst the darkness of the night. The General determined to halt, and ascertain Coffee's position and success, previously to waging the battle further; for as yet no communication had passed between them. He entertained no doubt, from the brisk firing in that direction, that he had been

warmly engaged; but this had now nearly subsided; the Caroline, too, had almost ceased her operations; it being only occasionally, that the noise of her guns disclosed the little opportunity she possessed of acting efficiently.

The express despatched to General Jackson, from the left wing, having reached him, he determined to prosecute the successes he had gained, no further. The darkness of the night—the confusion into which his own division had been thrown, and a similar disaster communicated on the part of Coffee, all pointed to the necessity of retiring from the field, and abandoning the contest. The bravery and firmness already displayed by his troops, had induced with him a belief that by pressing forward he might capture the whole British army: at any rate, he considered it but a game of venture and hazard, which, if unsuccessful, could not occasion his own defeat. If incompetent to its execution, and superior numbers, or superior discipline, should compel him to recede from the effort, he well knew the enemy would not have temerity enough to attempt pursuit. The extreme darkness—their entire ignorance of the situation of the country, and an apprehension lest their forces might be greatly outnumbered, afforded sufficient reasons on which to ground a belief, that although beaten from his purpose, he would yet have it in his power to retire in safety: but on the arrival of the express from General Coffee, learning thence the strong position to which the enemy had retired, and that a part of the left wing had been detached, and were in all probability captured, he determined to retire from the contest, nor attempt a further prosecution of his successes. General Coffee was accordingly directed to withdraw, and take a position, where the line had been first formed: and thither the troops on the right were also ordered to be marched.

Colonel Dyer, who commanded the extreme left of Coffee's brigade, on clearing the grove, after the enemy had retired, was marching in a direction where he expected to find the General; he very soon discovered a force in front, and halting his men, hastened towards it; arriving within a short distance, he was hailed, ordered to stop, and report to whom he belonged: Dyer, and Gibson, his lieutenant-colonel, advanced, and stated they were of Coffee's brigade; by this time they had arrived within a short distance of the line, and perceiving that the name of the

brigade they had stated was not understood, their apprehensions were awakened, lest it might be a detachment of the enemy; in this opinion they were immediately confirmed, and wheeling to return, were fired on and pursued. Gibson had scarcely started when he fell; before he could recover, a soldier, quicker than the rest, had reached and pinned him to the ground with his bayonet; fortunately the stab had but slightly wounded him, and he was only held by his clothes: thus pinioned, and perceiving others to be briskly advancing, but a moment was left for deliberation;—making a violent exertion, and springing to his feet, he threw his assailant to the ground, and made good his retreat. Colonel Dyer had retreated about fifty yards, when his horse dropped dead; entangled in the fall, and being slightly wounded in the thigh, there was little prospect of relief, for the enemy were briskly advancing: his men being near at hand, he ordered them to advance and fire, which checked the approach, and enabled him to escape. Being now at the head of his command,—perceiving an enemy in a direction he had not expected, and uncertain how or where he might find General Coffee, he determined to seek him to the right, and moving on with his little band, forced his way through the enemy's lines, with the loss of sixty-three of his men, who were killed and taken. Captain Beal of the rifle corps, with equal bravery, charged through the enemy, carrying off some prisoners, and losing several of his own company.

This reinforcement of the British had arrived from Bayou Bienvenu, after night. The boats that landed the first detachment, had proceeded back to the shipping, and having returned, were on their way up the bayou, when they heard the guns of the combatants; moving hastily on to the assistance of those who had debarked before them, they reached the shore, and knowing nothing of the situation of the two armies, during the engagement advanced in the rear of General Coffee. Coming in contact with Colonel Dyer and Captain Beal, they filed off to the left, and reached the British lines. Dyer and Beal retreating back to where the brigade had first dismounted, united with General Coffee again.

Jackson had gone into this battle confident of success; and his arrangements were such as would have ensured it, even to a much greater extent, but for the intervention

of circumstances that could not be foreseen. The Caroline had given her signals, and commenced the battle, a little too early, before Coffee had reached and taken his position, and before every thing was fully in readiness, to attain the objects designed: but it was chiefly owing to the confusion introduced at first into the ranks, which checked the rapidity of his advance—gave the enemy time for preparation, and prevented his division from uniting with the right wing of General Coffee's brigade.

Colonel Hinds, with one hundred and eighty dragoons, was not brought into action during the night. Interspersed as the plain was, with innumerable ditches, diverging in different directions, it was impossible that cavalry could act to any kind of advantage: they were now formed in advance, to watch, until morning, the movements of the enemy.

From the experiment just made General Jackson believed it would be in his power, on a renewed attack, to capture the British army: he concluded, therefore, to order down to his assistance General Carroll with his division, and to assail them again at the dawn of day. Directing Governor Claiborne to remain at his position, for defence of an important pass to the city, the Gentilly road, he despatched an express to Carroll, stating to him, that, in the event there had been no appearance of a force during the night, in the direction of Chef Menteur, to hasten and join him with the troops under his command: this order was executed by one o'clock in the morning. Previously, however, to his arrival, a different determination was made. From prisoners who had been brought in, and through deserters, it was ascertained that the strength of the enemy, during the battle, was four thousand, and, with the reinforcements which had reached them, after its commencement, and during the action, their force could not be less than six:—at any rate, it would greatly exceed his own, even after the Tennessee division should be added. Although very decided advantages had been obtained, yet they had been procured under circumstances that might be wholly lost in a contest waged in open day, between forces so disproportionate, and by undisciplined troops, against veteran soldiers. Jackson well knew it was incumbent upon him to act a part entirely defensive: should the attempt to gain and destroy the city succeed, numerous difficulties would present themselves, which

might be avoided, so long as he could hold the enemy in check, and halt him in his designs. Prompted by these considerations—that it was important to pursue a course calculated to assure safety; and believing it attainable in no way so effectually, as in occupying some point, and by the strength he might give it, compensate for the inferiority of his numbers, and their want of discipline, he determined to forbear all further offensive efforts until he could more certainly discover the views of the enemy, and until the Kentucky troops, which had not yet arrived, should reach him. Pursuing this idea, at four o'clock in the morning, having ordered Colonel Hinds to occupy the ground he was then abandoning, and to observe the enemy closely, he fell back, and pitched his encampment behind a deep ditch that stretched to the swamp at right angles from the river. There were two circumstances strongly recommending the importance of this place: the swamp, which, from the high lands at Baton Rouge, skirts the river at irregular distances, and is in many places almost impervious, had here approached within four hundred yards of the Mississippi, and hence, from the narrowness of the pass, was more easily to be defended; added to which, there was a deep canal, whence the dirt being thrown on the upper side, already formed a tolerable work of defence. Behind this, his troops were formed, and proper measures adopted for increasing its strength, with a determination never to abandon it; but there valiantly to defend those rights which were sought to be outraged and destroyed by our enemy.

Promptitude in decision, and activity in execution, constitute the leading traits of Jackson's character. No sooner resolved on the course deemed necessary to be pursued, than with every possible despatch he hastens its completion. Before him was an army proud of its name, and distinguished for deeds of valour. Opposed to which was his own unbending spirit, and an inferior, undisciplined, and unarmed force. He conceived, therefore, his to be a defensive policy; that by prudence and caution he might be able to preserve, what offensive operation would have a tendency to endanger. Hence, with activity and industry, based on a hope of ultimate success, he commenced his plan of defence, determining to fortify himself effectually, as the peril and pressure of the moment would permit. When to expect attack he could not tell; preparation and

readiness to meet it, was for him to determine, all else was for the enemy. Promptly, therefore, he proceeded with his system of defence; and with such thoughtfulness and anxiety—that until the night of the 27th, when his line was completed, he never slept, or for a moment closed his eyes. Resting his hope of safety here, he was every where, through the night, present, encouraging his troops, and hastening a completion of the work. The concern and excitement produced by the mighty object before him, were such as to overcome the demands of nature, and for four days and three nights, he was without sleep, and constantly employed. His line of defence being completed on the night of the 27th, he, for the first time since the arrival of the enemy, retired to rest and repose.

The soldier who has stood the shock of battle, and knows what slight circumstances oftentimes produce decided advantages, will be able, properly to appreciate the events of this night. Although the dreadful carnage of the 8th of January, was in fact the finishing blow, that struck down the towering hopes of those invaders, and put an end to the contest, yet in the battle of the 23d, is there to be found abundant cause why success resulted to our arms, and safety was given to the country. The British had reached the Mississippi without the fire of a gun, and encamped upon its banks as composedly as if they had been seated on their own soil, and at a distance from all danger. These were circumstances which awakened a belief that they expected little opposition,—were certain of success,—and that the troops with whom they were to contend would scarcely venture to resist: resting thus confidently, they would the next day have moved forward, and succeeded in the accomplishment of their designs. Jackson, convinced that an early impression was essential to ultimate success, had resolved to assail them at the moment of their landing, and “attack them in their first position:” we have, therefore, seen him, with a force inferior one half, to that of the enemy, at an unexpected moment, break into their camp, and with his undisciplined yeomanry, drive before him the pride of England, and the conquerors of Europe. It was an event that could not fail to destroy all previous theories, and establish a conclusion, which our enemy had not before formed, that they were contending against valour inferior to none they



had seen;—before which their own bravery had not stood, nor their skill availed them: it had the effect of satisfying them, that the quantity and kind of troops it was in our power to wield, must be different from any thing that had been represented; for much as they had heard of the courage of the man with whom they were contending, they could not suppose, that a general having a country to defend, and a reputation to preserve, would venture to attack, on their own chosen ground, a greatly superior army, and one, which, by the numerous victories it had achieved, had already acquired a fame in arms; they were convinced that his force must greatly surpass what they had expected, and be composed of materials different from what they had imagined.

The American troops, which were actually engaged, did not amount to two thousand men: they consisted of part of

Coffee's brigade and Captain Beal's company,	648
The 7th and 44th regiments,	763
Company of marines and artillery,	82
Plauche's and Daquin's battalions,	488

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These, for more than one hour, maintained a severe conflict with a force of four or five thousand, and retired in safety from the ground, with the loss of but twenty-four killed, one hundred and fifteen wounded, and seventy-four made prisoners; while the killed, wounded, and prisoners, of the enemy, were not less than four hundred.

Our officers and soldiers executed every order with promptitude, and nobly sustained their country's character. Lieutenant-colonel Lauderdale, of Coffee's brigade, an officer of great promise, and on whom every reliance was placed, fell at his post, and at his duty: he had entered the service, and descended the river with the volunteers under General Jackson, in the winter of 1812—passed through all the hardships and difficulties of the Creek war, and had ever manifested a readiness to act when his country needed his services. Young, brave, and

\* This statement was furnished to the author by Colonel Robert Butler, adjutant-general of the southern division, who assured him it was correct. Colonel Hinds' dragoons from Mississippi, amounting to 186 men, were not in the action.

skilful, he had already afforded evidences of a capacity, which might, in future, have become useful; his exemplary conduct, both in civil and military life, had acquired for him a respect, that rendered his fall a subject of general regret. Lieutenant M'Lelland, a valuable young officer of the 7th, was also among the number of the slain.

Coffee's brigade, during the action, imitating the example of their commander, bravely contended, and ably supported the character they had previously established. The unequal contest in which they were engaged, never occurred to them; nor, for a moment, checked the rapidity of their advance. Had the British known they were merely riflemen, and without bayonets, a firm stand would have arrested their progress, and destruction or capture would have been the inevitable consequence; but, this circumstance being unknown, every charge they made was crowned with success, producing discomfiture, and routing and driving superior numbers before them. Officers, from the highest to inferior grades, discharged what had been expected of them. Ensign Leach, of the 7th regiment, being wounded through the body, still remained at his post, and in the performance of his duty. Colonel Kemper, enterprising and self-collected, amidst the confusion introduced on the left wing, found himself at the head of a handful of men, detached from the main body, and in the midst of a party of the enemy: never did any man better exemplify the truth of the position, that discretion is sometimes the better part of valour: to attempt resistance was idle, and could only eventuate in destruction: with a mind unclouded by the peril that surrounded him, he sought and procured his safety through stratagem. Calling to a group of soldiers who were near, in a positive tone, he demanded of them where their regiment was: lost themselves, they were unable to answer: but supposing him to be one of their own officers, they assented to his orders, and followed on to his own line, where they were made prisoners.

The 7th regiment, commanded by Major Piere, and the 44th, under Major Baker, aided by Major Butler, gallantly maintained the conflict—forced the enemy from every secure position he attempted to occupy, and drove him a mile from the first point of attack. Confiding in themselves, and their general, who was constantly with them, exposed to danger, and in the midst of the fight, inspiring

by his ardour, and encouraging by his example, they advanced to the conflict, nor evinced a disposition to leave it until the prudence of their commander directed them to retire.

From the violence of the assault already made, the fears of the British had been greatly excited; to keep that apprehension alive was considered important, with a view partially to destroy the overweening confidence with which they had arrived on our shores, and to compel them to act, for a time, upon the defensive. To effect this, General Coffee, with his brigade, was ordered down on the morning of the 24th, to unite with Colonel Hinds, and make a show in the rear of Lacoste's plantation. The enemy, not yet recovered of the panic produced by the assault of the preceding evening, already believed it was in contemplation to urge another attack, and immediately formed themselves to repel it; but Coffee having succeeded in recovering some of his horses, which were wandering along the margin of the swamp, and in regaining part of the clothing which his troops had lost the night before, returned to the line, leaving them to conjecture the objects of his movement.

The scanty supply of clothes and blankets that remained to the soldiers, from their long and exposed marches, had been left where they dismounted to meet the enemy. Their numbers were too limited, and the strength of their opponents too well ascertained, for any part of their force to remain and take care of what was left behind: it was so essential to hasten on, reach their destination, and be ready to act when the signal from the Caroline should announce their co-operation necessary, that no time was afforded to secure their horses;—they were turned loose, and their recovery trusted entirely to chance. Although many were regained, many were lost; while most of the men remained but with a single suit, to encounter, in the open field, and in swamps covered with water, the hardships of camp, and the severity of winter. It is a circumstance which entitles them to much credit, that under privations so severely oppressive, complaints or murmurs were never heard. This state of things fortunately was not of long continuance. The story of their sufferings and misfortunes was no sooner known, than the legislature appropriated a sum of money for their relief, which was increased by subscriptions in the city and neighbour-

hood. Materials being purchased, the ladies, with that Christian charity and warmth of heart characteristic of their sex, at once exerted themselves in removing their distresses: all their industry was called into action, and in a little time, the suffering soldier was relieved. Such generous conduct, in extending assistance at a moment when it was so much needed, while it conferred on those females the highest honour, could not fail to nerve the arm of the brave with new zeal for the defence of their benefactresses. This distinguished mark of their patriotism and benevolence, is still remembered; and often as these valiant men are heard to recount the dangers they have passed, and with peculiar pride to dwell on the mingled honours and hardships of the campaign, they breathe a sentiment of gratitude to those who conferred upon them such distinguished marks of kindness, and who, by timely interference, alleviated their misfortunes and their sufferings.

To present a check, and keep up a show of resistance, detachments of light troops were occasionally kept in front of the line, assailing and harassing the enemy's advanced posts whenever an opportunity was offered of acting to advantage. Every moment that could be gained, and every delay that could be extended to the enemy's attempts to reach the city, was of the utmost importance. The works were rapidly progressing, and hourly increasing in strength. The militia of the state were every day arriving, and every day the prospect of successful opposition was brightening.

The enemy still remained at his first encampment. To be in readiness to repel an assault when attempted, the most active exertions were made on the 24th and 25th. The canal, covering the front of our line, was deepened and widened, and a strong mud wall formed of the earth that had been originally thrown out. To prevent any approach until his system of defence should be in a state of greater forwardness, Jackson ordered the levee to be cut, about a hundred yards below the point he had occupied. The river being high, a broad stream of water passed rapidly through the plain, of the depth of thirty or forty inches, which prevented any approach of troops on foot. Embrasures were formed, and two pieces of artillery, early on the morning of the 24th, were placed in a position to rake the road leading up the levee.

The General was under constant apprehensions, lest, in spite of his exertions below, the city might, through some other route, be reached and destroyed; and those fears were increased to-day, by a report that a strong force had arrived—debarked at the head of lake Borgne, and compelled an abandonment of the defence at Chef Menteur. This, however, proved to be unfounded: the enemy had not appeared in that direction, nor had the officer, to whom was entrusted the command of this fort, so much relied on, forgotten his duty, or forsaken his post. Acting upon the statement that Major Lacoste had retired from the fort, and fallen back on bayou St. John, and incensed that orders, which, from their importance, should have been faithfully executed, had been thus lightly regarded, he hastened to inform him what he had understood, and to forbid his leaving his position. “The battery I have placed under your command, must be defended at all hazards. In you, and the valour of your troops, I repose every confidence;—let me not be deceived. With us, every thing goes on well: the enemy has not yet advanced. Our troops have covered themselves with glory: it is a noble example, and worthy to be followed by all. Maintain your post, nor ever think of retreating.” To give additional strength to a place deemed so important—inspire confidence, and ensure safety, Colonel Dyer, and two hundred men, were ordered to assist in its defence, and act as videttes, in advance of the occupied points.

General Morgan, who, at the English turn, commanded the fort on the east bank of the river, was instructed to proceed as near the enemy’s camp as prudence and safety would permit, and, by destroying the levee, to let in the waters of the Mississippi between them. The execution of this order, and a similar one, previously made, below the line of defence, had entirely insulated the enemy, and prevented his march against either place. On the 26th, however, the commanding general fearing for the situation of Morgan, who, from the British occupying the intermediate ground, was entirely detached from his camp, directed him to abandon his encampment, carry off such of the cannon as might be wanted, and throw the remainder into the river, where they could be again recovered when the waters receded; to retire to the other side of the river, and assume a position on the right bank,

nearly opposite to his line, and have it fortified. This movement was imposed by the relative disposition of the two armies. Necessity, not choice, made it essential that St. Leon should be abandoned.

From intelligence, obtained through deserters and prisoners, it was evident that the British fleet would make an effort to ascend the river, and co-operate with the troops already landed. Lest this, or a diversion in a different quarter, might be attempted, exertions were made to be able to resist at all points, and to interpose such defences on the Mississippi as might assure protection. The forts on the river, well supported with brave men, and heavy pieces of artillery, might, perhaps, have the effect to deter their shipping from venturing in that direction, and dispose them to seek some safer route, if any could be discovered. Pass Barrataria was best calculated for this purpose, and here, in all probability, it was expected the effort might be made. The difficulty of ascending the Mississippi; from the rapidity of the current, its winding course, and the ample protection already given at forts St. Philip and Bourbon, were circumstances to which, it was not to be inferred, the British were strangers: nor was it to be expected, that, with a knowledge of them, they would venture here the success of an enterprise on which so much depended. It was a more rational conjecture that they would seek a passage through Barrataria—proceed up the right bank of the river, and gain a position whence, co-operating with the forces on the east side, they might drive our troops from the line they had formed, and, at less hazard, succeed in the accomplishment of their designs. Major Reynolds was accordingly ordered thither, with instructions to place the bayous, emptying through this pass, in the best possible state of defence—to occupy and strengthen the island—to mount sufficient ordnance, and draw a chain, within cannon-shot, across, the more effectually to guard the route, and protect it from approach. Lafite, who had been heretofore promised pardon for the outrages he had committed against the laws of the United States, and who had already shown a lively zeal in behalf of his adopted country, was also despatched with Reynolds. He was selected, because, from the proofs already given, no doubt was entertained of his fidelity, and because his knowledge of the topography and precise situation of this section of

the state, was remarkably correct: it was the point where he had constantly rendezvoused, during the time of cruising against the merchant vessels of Spain, under a commission obtained at Carthagea, and where he had become perfectly acquainted with every inlet and entrance to the gulf through which a passage could be effected.

With these arrangements—treason apart—all anxiously alive to the interest of the country, and disposed to protect it, there was little room to apprehend or fear disaster. To use the General's own expression, on another occasion, "the surest defence, and one which seldom failed of success, was a rampart of high-minded and brave men." That there were some of this description with him, on whom he could safely rely, in moments of extreme peril, he well knew; but that there were many, strangers to him and danger, and who had never been called to act in those situations where death, stalking in hideous round, appals and unnerves even the most resolute, was equally certain; whether they would contend with manly firmness—support the cause in which they had embarked, and realize his anxious wishes on the subject, could be only known in the moment of conflict and trial; when, if disappointed in his expectations, the means of retrieving the evil would be fled, and every thing lost in the result.

As yet the enemy were uninformed of the position of Jackson. What was his situation—what was intended—whether offensive or defensive operations would be pursued, were circumstances on which they possessed no correct knowledge, nor could it be obtained; still their exertions were unremitting to have all things prepared, and in readiness to urge their designs whenever the moment for action should arrive. They had been constantly engaged, since their landing, in procuring from their shipping every thing necessary to ulterior operation. A complete command on the lakes, and possession of a point on the margin, presented an uninterrupted ingress and egress, and afforded the opportunity of conveying whatever was wanted, in perfect safety to their camp. The height of the Mississippi, and the discharge of water through the openings made in the levee, had given an increased depth to the canal, from which they had first debarked—enabled them to advance their boats much further, in the direction of the encampment, and to transport

with greater convenience, their artillery, bombs and munitions. Thus engaged, during the first three days after their arrival, early on the morning of the 27th, a battery was discovered on the bank of the river, which had been erected during the preceding night, and on which were mounted several pieces of heavy ordnance; from this position a fire was opened on the Caroline schooner, lying under the opposite shore.

After the battle of the 23d, in which this vessel so effectually aided, she passed to the opposite side of the river, where she had since lain. Her services were too highly appreciated not to be again desired, in the event the enemy should endeavour to advance. The situation occupied was considered an unsafe one, but it had been essayed in vain to advance her higher up the stream. No favourable breeze had arisen to aid in stemming the current; while towing, and other expedients had been already resorted to, but without success. Safety might have been ensured by floating this vessel down the river and placing her under cover of the guns of the fort, though it was preferred as matter of policy, to risk her where she was, still, hourly, calculating that a favourable wind might arise, rather than by dropping her with the current, lose those benefits which, against an advance of the enemy, it might be in her power so completely to extend. Commodore Patterson on the 26th, by the orders of the commanding general, left the schooner, when Captain Henly made a further, but ineffectual, effort to force her up the current, near to the line, for the double purpose of its defence and her own safety.

These attempts at removal being discovered, at daylight, on the morning of the 27th, a battery, mounting five guns opened, discharging bombs and red hot shot; it was spiritedly answered, but without affecting the battery; there being but a long twelve pounder that could reach. The second fire had lodged a hot shot in the hold, directly under her cables, whence it could not be removed, and where it immediately communicated fire to the schooner. The shot from the battery were constantly taking effect, firing her in different places, and otherwise producing material injury; while the blaze already kindled under the cables, was rapidly extending its ravages. A well grounded apprehension, that she could be no longer defended—the flames bursting forth in different parts, and



fast increasing, induced a fear lest the magazine should be reached, and every thing destroyed. One of the crew being killed, and six wounded, and not a glimmering of hope entertained that she could be preserved, orders were given to abandon her. The crew in safety reached the shore, and in a short time afterwards she blew up.

Although thus unexpectedly deprived of so material a dependence, for successful defence, an opportunity was soon presented of using her brave crew to advantage. Gathering confidence, from what had been just effected, the enemy left their encampment, and moved in the direction of our line. Their numbers had been increased, and Major-general Sir Edward Packenham now commanded in person. Early on the 28th, his columns commenced their advance to storm our works. At the distance of half a mile, their heavy artillery opened, and quantities of bombs, balls and congreve rockets, were discharged. It was a scene of terror and alarm, which they had calculated would excite a panic in the minds of the raw troops of our army, and compel them to surrender at discretion, or abandon their strong hold. But our soldiers had afforded abundant proof, that whether disciplined or not, they well knew how to defend the honour and interest of their country; and had sufficient valour not to be alarmed at the reality—still less the semblance of danger. Far from exciting apprehension, and driving them from their ground, their firmness remained unchanged;—still was manifested a determination not to tarnish a reputation they had hardly earned; and which had become too dear, from the difficulties and dangers they had passed to acquire it now, for it tamely to be surrendered. Their congreve rockets, though a kind of instrument of destruction to which our troops, unskilled in the science of desolating warfare, had been hitherto strangers, excited no other feeling than that which novelty inspires. At the moment, therefore, that the British, in different columns, were moving up, in all the pomp and parade of battle, preceded by those insignia, of terror, more than danger, and were expecting to behold their “Yankee foes” tremblingly retire and flee before them, our batteries opened, and halted their advance.

In addition to the two pieces of cannon mounted on our works, on the 24th, three others, of heavy caliber, obtained from the navy department, had been formed along the line: these opening on the enemy, checked their pro-

gress, and disclosed to them the hazard of the project they were on. Lieutenants Crawley and Norris with the crew of the *Caroline* rendered important services, and maintained, at the guns they commanded, that firmness and decision for which, on previous occasions, they had been so highly distinguished. They had been selected by the General, because of their superior skill in gunnery; and, on this occasion, gave evidence of a disposition to act in any situation where they could be serviceable.

Lieutenant Thompson, who commanded the *Louisiana* sloop, which lay nearly opposite the line of defence, no sooner discovered the columns approaching, than warping her around, he brought her guns to bear, and produced such an effect as to force a retreat: but, from their heavy artillery, the enemy maintained the conflict with great spirit, constantly discharging for seven hours bombs and rockets, when, unable to make a breach, or silence the fire from the sloop, they abandoned a contest where few advantages seemed to be presented. In this engagement, which lasted for seven hours, we received little or no injury. The *Louisiana* sloop, against which the most violent exertions were made, had but a single man wounded, by the fragments of a shell, which burst over her deck. Our entire loss did not exceed nine killed, and eight or ten wounded. The enemy, being more exposed, acting in the open field, and in range of our guns, suffered, from information afterwards procured, considerable injury; at least one hundred and twenty were killed and wounded. Amongst the killed, on our side, was Colonel James Henderson, of the Tennessee militia.

During the time that this assault was made, a column of the enemy threatened an attack on our extreme left; to counteract which, Coffee was ordered with his riflemen to hasten through the woods, and check their approach. The enemy, although greatly superior to him in numbers, no sooner discovered his movement than they retired, and abandoned the attack they had previously meditated.

A supposed disaffection in New Orleans, and an enemy in front, were circumstances well calculated to excite unpleasant forebodings. General Jackson believed it necessary and essential to his security, while contending with avowed foes, not to be wholly inattentive to dangers lurking at home; but, by guarding vigilantly, to be able to suppress any threatening purpose the moment it should

be developed, and before it should have time to mature. Previously to departing from the city, on the evening of the 23d, he had ordered Major Butler, his *aid*, to remain with the guards, and be vigilant that nothing transpired in his absence calculated to operate injuriously. His fears that there were many of the inhabitants who felt no attachment to the government, and would not scruple to surrender, whenever, prompted by interest, it should become necessary, has been already noticed. In this belief, subsequent circumstances evinced there was no mistake, and showed that to his assiduity and energy is to be ascribed the cause the country was protected and saved. It is a fact, which was disclosed, on making an exchange of prisoners, that, in despite of every effort to prevent it, the enemy were constantly apprized of every thing that transpired in our camp. Every arrangement, and change of position, was immediately communicated. "Nothing," remarked a British officer, at the close of the invasion, "was kept a secret from us, except your numbers: this, although diligently sought after, could never be procured."

Between the 23d and 28th, Major T. Butler, who still remained at his post in the city, was applied to by Fulwar Skipwith, speaker of the senate, to ascertain the commanding general's views, provided he should be driven from his line of encampment, and compelled to retreat through the city; would he, in that event, destroy it? It was, indeed, a curious inquiry: one who, having spent his life in serving his country in different capacities, might better have understood the duty of a subordinate officer; and that even if, from his situation, the aid had so far acquired the confidence of the General as to become acquainted with his views and designs, he was not at liberty to divulge them, without destroying confidence and acting criminally. On asking the cause of the inquiry, Mr. Skipwith replied, it was rumoured, and so understood, that if driven from his position, and made to retreat upon the city, General Jackson had it in contemplation to lay it in ruins; the legislature, desired information on this subject, that if such were his intentions, they might, by offering terms to the enemy, avert so serious a calamity. That a sentiment having for its object a surrender of the city, should be entertained by this body, was scarcely credible; yet a few days brought the certainty of it more fully to view, and showed that they were already devising plans

to ensure the safety of themselves and property, even at any sacrifice. While the General was hastening along the line, from ordering Coffee, as we have just observed, against a column of the British on the extreme left, he was hailed by Mr. Duncan, one of his volunteer aids, and informed, that already it was agitated, secretly, by the members of the legislature, to offer terms of capitulation to the enemy, and to proffer a surrender; and that Governor Claiborne awaited his orders on the subject. Poised as was the result, the safety or fall of the city resting in uncertainty, although it was plainly to be perceived, that, with a strong army interposed, no such resolution could be carried into effect, yet it might be productive of evil, and, in the end, bring about disastrous consequences. Even the disclosure of such a wish on the part of the legislature, might create parties—excite opposition in the army, and inspire the enemy with renewed confidence. The volunteers, it was not feared would be affected by the measure; yet it might detach the Louisiana militia, and even extend itself to the ranks of the regular troops. Jackson was greatly incensed, that those whose safety he had so much at heart, should be seeking, under the authority of office, to mar his best exertions. He was too warmly pressed, at the moment, for the battle was raging, to give it the attention its importance merited; but, availing himself of the first respite from the violence of the attack waged against him, he apprized Governor Claiborne of what he had heard;—ordered him closely to watch the conduct of the legislature, and the moment the project of offering a capitulation to the enemy should be fully disclosed, to place a guard at the door and confine them to their chamber. The Governor in his zeal to execute the command, and from a fear of the consequences involved in such conduct, construed as imperative, an order which was merely contingent; and, placing an armed force at the door of the capitol, prevented the members from convening, and their schemes from maturing.

The purport of this order was essentially misconceived by the Governor; or, perhaps, with a view to avoid subsequent inconveniences and complaints, was designedly mistaken. Jackson's object was not to restrain the legislature in the discharge of their official duties; for although he thought, when the sound of the cannon constantly pealed in their ears, was a moment inauspicious to wholesome

legislation, and that it would better comport with the state of the times for them to abandon their civil duties and appear in the field, yet was it a matter indelicate to be proposed; and it was hence preferred, that they should adopt whatever course might be suggested by their own notions of patriotism and propriety. This sentiment would have been adhered to; but when through the communication of Mr. Duncan, they were represented as entertaining opinions and schemes adverse to the general interest and safety of the country, the necessity of a new and different course of conduct was at once obvious. But he did not order Governor Claiborne to interfere with, or prevent them from proceeding with their duties; on the contrary, he was instructed, so soon as any thing hostile to the general cause should be ascertained, to place a guard at the door, and keep the members to their post and to their duty. My object in this, remarked the General, was, that then they would be able to proceed with their business without producing the slightest injury: whatever schemes they entertained would have remained with themselves, without the power of circulating them to the prejudice of any other interest than their own. I had intended to have had them well treated and kindly dealt by; and thus abstracted from every thing passing without doors, a better opportunity would have been afforded to enact good and wholesome laws; but Governor Claiborne mistook my order, and instead of shutting them in doors, contrary to my wishes and expectation, turned them out.

Previous to this, General Jackson had been called on by a special committee of the legislature to know what his course would be should necessity compel him from his position? If, replied the General, I thought the hair of my head could divine what I should do, forthwith I would cut it off: go back with this answer; say to your honourable body, that if disaster does overtake me, and the fate of war drives me from my line upon the city, they may expect to have a very warm session. And what did you design to do, I inquired, provided you had been forced to retreat. I should, he replied, have retreated on the city, fired it, and fought the enemy amidst the surrounding flames. There were with me men of wealth, owners of considerable property, who, in such an event, would have been amongst the foremost to have applied the torch to their own buildings; and what they had left undone, I

should have completed. Nothing for the comfortable maintenance of the enemy would have been left in the rear. I would have destroyed New Orleans—occupied a position above on the river—cut off all supplies, and in this way compelled them to depart from the country.

We shall not pretend to ascribe this conduct to disaffection to the government, or to treasonable motives. The impulse that produced it was, no doubt, interest—a principle of the human mind which strongly sways, and often destroys its best conclusions. The disparity of the two armies, in numbers, preparation, and discipline, had excited apprehension, and destroyed hope. If Jackson were driven back, and little else was looked for, rumour fixed his determination of devoting the city to destruction: but even if such were not his intention, the wrath and vengeance of the enemy might be fairly calculated to be in proportion to the opposition they should receive. Although these considerations may somewhat palliate, they do not justify. The government was represented in the person of the commanding general, on whom rested all responsibility, and whose voice on the subject of resistance or capitulation, should alone have been heard. In the field were persons who were enduring hardships, and straining every nerve, for the general safety. A few of the members of the legislature too, were there, who did not despond.\* Might not patriotism, then, have admonished the members, honoured as they were with the confidence of the people, rather to have pursued a course, having for its object to keep alive excitement, than to have endeavoured to introduce fear, and paralyze exertion. Such conduct, if productive of nothing worse, was well calculated to excite alarm. If the militia, who had been hastily drawn to the camp, and who were yet trembling for the safety of their families, had been told, that a few private men, of standing in society, had expressed their opinions, and declared resistance useless, it would, without doubt, have occasioned serious apprehensions; but, in a much greater degree would they be calculated to arise, when told that the legislative council, chosen to preside over the safety and destinies of the state, after due

\* But four of the legislature appeared in the field, to defend the country. We regret not knowing the name of one of these persons: those we have ascertained are, General Garrigue Flojack, Major Eziel, and Mr. Bufort.

deliberation, had pronounced all attempts at successful opposition, vain and ineffectual.

Here was an additional reason why expedients should be devised, and every precaution adopted, to prevent any communication, by which the slightest intelligence should be had of our situation, already, indeed, sufficiently deplorable. Additional guards were posted along the swamp, on both sides of the Mississippi, to arrest all intercourse; while on the river, the common highway, watch boats were constantly plying during the night, in different directions, so that a log could scarcely float upon the stream unperceived. Two flat-bottomed boats, on a dark night, were turned adrift above, to ascertain if vigilance were preserved, and whether there would be any possibility of escaping the guards and passing in safety to the British lines. The light boats discovered them on their passage, and on the alarm being given, they were opened upon by the Louisiana sloop, and the batteries on the shore, and in a few minutes sunk. In spite, however, of every precaution, treason still discovered avenues through which to project and execute her nefarious plans, and through them was constantly afforded information to the enemy; carried to them, no doubt, by adventurous friends, who sought and effected their nightly passage through the deepest parts of the swamp, where it was impossible for sentinels to be stationed.\*

Great inconvenience was sustained for the want of arms, and much anxiety felt, lest the enemy, through their faithful adherents, might, on this subject also, obtain information; to prevent it, as far as possible, General Jackson endeavoured to conceal the strength and situation of his army, by suffering his reports to be seen by none but himself and the adjutant-general. Many of the troops in the field were supplied with common guns, which were of little service. The Kentucky troops, daily expected, were also understood to be badly provided with arms. Uncertain but that the city might yet contain many articles that would be serviceable, orders were issued to the mayor of New Orleans, directing him to take possession of all the muskets, bayonets, spades, and axes he could find in the city. Understanding there were many young men, who, from different pretexts, had not appeared in

\* See note C.

the field, he was instructed to obtain a register of every man in the city, under the age of fifty, that measures might be concerted for drawing forth those who had hitherto appeared backward in engaging in the pending contest.



## CHAPTER. X.

Attack of the 1st of January.—General Jackson's line of defence.—Kentucky troops arrive at head-quarters.—British army reinforced; their preparations for attack.—Battle of the 8th of January, and repulse of the enemy.—American redoubt carried, and retaken.—Colonel Thornton proceeds against General Morgan's line, and takes possession of it.—Letter of Captain Wilkinson.—British watch word.—Generous conduct of the American soldiers.—Morgan's line regained.—General Lambert requests a suspension of hostilities.—Armistice concluded.—Execution of an American soldier by the British.

THE British were encamped two miles below the American army, on a perfect plain, and in full view. Although foiled in the attempt to carry our works by the force of their batteries, on the 28th, they yet resolved upon another attack, and one which they believed would be more successful. Presuming the failure to have arisen from not having sufficiently strong batteries, and heavy ordnance, a more enlarged arrangement was resorted to, with a confidence of silencing opposition, and effecting such breaches in our entrenchment as would enable their columns to pass, without being exposed to any considerable hazard. The interim between the 28th of December and 1st of January was accordingly spent in preparing to execute their designs. Boats had been despatched to the shipping, and an additional supply of heavy cannon obtained through Bayou Bienvenu, whence they had first debarked.

During the night of the 31st, they were busily engaged. An impenetrable fog, next morning, which was not dispelled until nine o'clock, by concealing their purpose, aided in the plans they were projecting, and gave time for the completion of their works. This having disappeared,



several heavy batteries, at the distance of six hundred yards, mounting eighteen and twenty-four pound carriages, were presented to view. No sooner was it sufficiently clear to distinguish objects at a distance, than these were opened, and a tremendous burst of artillery commenced, accompanied with congreve rockets, that filled the air in all directions. Our troops, protected by a defence, which, from their constant labours and exertions, they believed to be impregnable, unmoved and undisturbed, maintained their ground, and, by skilful management, in the end, succeeded in dismounting and silencing the guns of the enemy. The British, through the friendly interference of some disaffected citizens, having been apprized of the situation of the General's quarters, that he dwelt in a house at a small distance in the rear of his line of defence, against it directed their first and principal efforts, with a view to destroy the commander. So great was the number of balls thrown, that, in a little while, its porticos were beaten down, and the building made a complete wreck. In this dishonourable design, they were, however, disappointed; for, with Jackson it was a constant practice, on the first appearance of danger, not to wait in his quarters, watching events, but instantly to proceed to the line, and be ready to form his arrangements as circumstances might require. Constantly in expectation of a charge, he was never absent from the post of danger; and thither he had this morning repaired, at the first sound of the cannon, to aid in defence, and inspire his troops with firmness. Our guns, along the line, now opened, to repel the assault, and a constant roar of cannon, on both sides, continued until nearly noon; when, by the superior skill of our engineers, the two batteries formed on the right, next the woods, were nearly beaten down, and many of the guns dismounted, broken, and rendered useless. That next the river still continued its fire, until three o'clock; when, perceiving all attempts to effect a breach ineffectual, the enemy gave up the contest, and retired. Every act of theirs discovers a strange delusion, and unfolds on what wild and fanciful grounds, all their expectations were founded. That the American troops were well posted, and strongly defended by pieces of heavy ordnance mounted along their line, was a fact well known; yet a belief was confidently indulged, that the undisciplined collection which constituted the strength

of our army, would be able to derive little benefit from such a circumstance; and that artillery could produce but slight advantages in the hands of persons who were strangers to the manner of using it. That many who, from necessity, were called to the direction of the guns, were at first unacquainted with their management, is indeed true; yet the accuracy and precision with which they threw their shot, afforded a convincing argument, either that they possessed the capacity of becoming, in a short time, well acquainted with the art of gunnery, or that it was a science, the acquiring of which was not attended with incalculable difficulty.

That they would be able to effect an opening, and march through the strong defence in their front, was an idea so cherished by our assailants, that an apprehension of failure had scarcely ever occurred. So sanguine were they in this belief, that, early in the morning, their soldiers were arranged along the ditches, in rear of their batteries, prepared and ready to advance to the charge, the moment a breach could be made. Here, protected from danger, they remained, waiting the result that should call them to act. But their efforts not having produced the slightest impression, nor their rockets the effect of driving our militia away, they abandoned the contest, and retired, leaving their batteries materially injured—well nigh destroyed.

Perceiving their attempts must fail, and that such an effect could not be produced, as would warrant an advance, another expedient was resorted to, but with no better success. It occurred to the British commander, an attack might be made to advantage next the woods, and a force was accordingly ordered to penetrate in this direction, and turn the left of our line, which was supposed not to extend further than to the margin of the swamp. In this way, it was expected a diversion could be made, while the reserve columns, being in readiness, and waiting, were to press forward the moment this object could be effected.—Here, too, disappointment resulted. Coffee's brigade, already extended into the swamp, far as it was possible for an advancing party to penetrate, brought unexpected dangers into view, and occasioned an abandonment of the project. That to turn the extreme left of the line might be practicable and be attempted, was a subject of early consideration; and necessary precaution

had been taken to prevent it.—Although cutting the levee had raised the waters in the swamp, and increased the difficulties of keeping troops there, yet a fear lest this pass might be sought by the enemy, and the rear of the line thereby gained, had determined the General to extend his defence even here. This had been entrusted to General Coffee; and surely a more arduous duty can scarcely be imagined. To form a breast-work, in such a place, was attended with many difficulties, and considerable exposure. A slight defence, however, had been thrown up, and the underwood, for thirty or forty yards in front cut down, that the riflemen, stationed for its protection, might have a complete view of any force, which, through this route, might attempt a passage. When it is recollected, that this position was to be maintained night and day, uncertain of the moment of attack; and that the only opportunity afforded our troops for rest, was on logs and brush, thrown together, by which they were raised above the surrounding water, it may be truly said, that seldom has it fallen to the lot of any to encounter greater hardships: but, accustomed to privation, and alive to those feelings which a love of country inspires, they obeyed without complaining, and cheerfully kept their position until all danger had subsided. Sensible of the importance of the point they defended, and that it was necessary to be maintained, be the sacrifice what it might, they looked to nothing but a zealous and faithful discharge of the trust confided to them.

Our loss, in this affair, was eleven killed, and twenty-three wounded: that of the enemy was never correctly known. The only certain information is contained in a communication of the 28th instant from General Lambert to Earl Bathurst, in which the casualties and losses, from the 1st to the 5th, are stated at seventy-eight. Many allowances, however, are to be made for this report. It was written at a time, when, from numerous disasters encountered, it was not to be presumed the General's mind was in a situation patiently to remember, or minutely to detail facts. From the great precision of our fire, and the injury visibly sustained by their batteries, their loss was, doubtless considerable. The enemy's heavy shot having penetrated our entrenchment, in many places, it was discovered not to be as strong as had at first been imagined. Fatigue parties were again employed, and its strength

daily increased: an additional number of bales of cotton were taken to be applied to strengthening and defending the embrasures along the line. A Frenchman, whose property had been thus, without his consent, seized, fearful of the injury it might sustain, proceeded in person to General Jackson, to reclaim it, and to demand its delivery. The General heard his complaint, and having ascertained from him that he was unemployed in any military service, directed a musket to be brought to him, and placing it in his hand, ordered him on the line, remarking that as he seemed to be a man possessed of property, he knew of none who had a better right to fight, and to defend it.

The British had again retired to their encampment. It was well understood by Jackson, that they were in daily expectation of considerable reinforcements; though he rested with confidence in the belief, that a few more days would also bring to his assistance the troops from Kentucky. Each party, therefore, was busily and constantly engaged in preparation, the one to wage a vigorous attack, the other bravely to defend, and resolutely to oppose it.

The position of the American army was in the rear of an entrenchment formed of earth, and which extended in a straight line from the river to a considerable distance in the swamp. In front was a deep ditch, which had been formerly used as a mill-race. The Mississippi had receded and left this dry, next the river, though in many places the water still remained. Along the line, and at unequal distances, to the centre of General Carroll's command, were guns mounted, of different caliber, from six to thirty-two pounders. Near the river, and in advance of the entrenchment, was erected a redoubt, with embrasures, commanding the road along the levee, and calculated to rake the ditch in front.

General Morgan had been ordered, on the 24th of December, to cross to the west bank of the Mississippi. From an apprehension entertained that an attempt might be made through Barrataria, and the city reached from the right bank of the river, the General had extended his defence there likewise: in fact, unacquainted with the enemy's views,—not knowing the number of their troops, nor, but that they might have sufficient strength to wage an attack in various directions; and solicitous to be pre-

pared at all points, he had carefully divided out his forces, that he might guard, and be able to protect, in whatever direction an assault should be waged. His strongest defence, next to the one occupied by himself, was on the Chef Menteur road, where Governor Claiborne, at the head of the Louisiana militia, was posted. The position on the right was formed on the same plan with the line on the left,—lower down than that on the left, and extending to the swamp at right angles to the river. Here General Morgan commanded.

To be prepared against every possible contingency that might arise, Jackson had established another line of defence, about two miles in the rear of the one at present occupied, which was intended as a rallying point, in the event he should be driven from his first position. With the aid of his cavalry, to give a momentary check to the advance of the enemy, he expected to be enabled, with inconsiderable injury, to reach it; where he would again have advantages on his side—be in a situation to dispute a further passage to the city, and arrest their progress. To inspirit his own soldiers, and to exhibit to the enemy as great a show as possible of strength and intended resistance, his unarmed troops, which constituted no very inconsiderable number, were here stationed. All intercourse between the lines, but by confidential officers, was prohibited, and every precaution and vigilance employed, not only to keep this want of preparation concealed from the enemy, but even from being known on his own lines.

Occasional firing at a distance, which produced nothing of consequence, was all that marked the interim from the 1st to the 8th.

On the 4th of this month, the long-expected reinforcement from Kentucky, amounting to twenty-two hundred and fifty, under the command of Major-general Thomas, arrived at head-quarters; but so ill provided with arms, as to be incapable of rendering any considerable service. The alacrity with which the citizens of this state had proceeded to the frontiers, and aided in the north-western campaigns, added to the disasters which ill-timed policy or misfortune had produced, had created such a drain, that arms were not to be procured. They had advanced, however, to their point of destination, with an expectation of being supplied on their arrival. About five hundred of them had muskets; the rest were provided with guns,

from which little or no advantage could be expected. The mayor of New Orleans, at the request of General Jackson, had already examined and drawn from the city every weapon that could be found; while the arrival of the Louisiana militia, in an equally unprepared situation, rendered it impossible for the evil to be remedied. A boat, laden with arms, was somewhere on the river, intended for the use and defence of the lower country; but where it was, or when it might arrive, rested alone on hope and conjecture. Expresses had been despatched up the river, for three hundred miles, to seek and hasten it on; still there were no tidings of an approach. That so many brave men, at a moment of such anxious peril, should be compelled to stand with folded arms, unable, from their situation, to render the least possible service to their country, was an event greatly to be deplored, and did not fail to excite the feelings and sensibility of the commanding general. His mind, active, and prepared for any thing but despondency, sought relief in vain;—there was none. No alternative was presented, but to place them at his entrenchment in the rear, conceal their actual condition, and by the show they might make, add to his appearance and numbers, without at all increasing his strength.

Information was now received that Major-general Lambert had joined the British commander-in-chief, with a considerable reinforcement. It had been heretofore announced in the American camp, that additional forces were expected, and something decisive might be looked for, so soon as they should arrive. This circumstance, in connexion with others, no less favouring the idea, led to the conclusion that a few days more would, in all probability, bring on a struggle which would decide the fate of the city. It was more than ever necessary to keep concealed the situation of his army; and, above all, to preserve secret as possible, its unarmed condition. To restrict all communication, even with his own lines, was, as danger increased, rendered more important. None were permitted to leave the line, and none from without to pass into his camp, but such as were to be implicitly confided in. The line of sentinels was strengthened in front, that none might pass to the enemy, should desertion be attempted; yet, notwithstanding this precaution, his plans and situation were disclosed. On the night of the 6th, a soldier

from the line, by some means, succeeded in eluding the vigilance of our sentinels. Early next morning, his departure was discovered: it was at once correctly conjectured he had gone over to the enemy, and would, no doubt, afford all the information in his power to communicate. This opinion, as subsequent circumstances disclosed, was well-founded; and dearly did he atone his crime. He unfolded to the British the situation of the American line; the late reinforcements we had received; and pointing to the centre of General Carroll's division, as a place occupied by militia alone, recommended it as the point where an attack might be most prudently and safely made.

Other intelligence was received confirmatory of the belief of impending attack. From prisoners taken on the lake, it was ascertained the enemy were busily engaged in deepening Villery's canal, with a view of passing their boats and ordnance to the Mississippi. During the 7th, a constant bustle was perceived in the British camp. Along the borders of the canal, soldiers were continually in motion, marching and manœuvring, for no other purpose than to conceal those who busily at work were engaged in the rear. To ascertain the cause of this uncommon stir, and to learn their designs, far as practicable, Commodore Patterson proceeded down the river, on the opposite side, and having gained a favourable position, in front of their encampment, discovered them to be actually engaged in deepening the passage to the river. It was no difficult matter to divine their purpose. No other conjecture could be entertained, than that an assault was intended to be made on the line of defence commanded by General Morgan; which, if successful, would expose our troops on the left bank to the fire of the redoubt erected on the right; and in this way compel an abandonment of their position. To counteract this scheme was important; and measures were immediately taken to prevent the execution of a plan, which, if successful, might be attended with incalculable dangers. An increased strength was given to this line. The second regiment of Louisiana militia, and four hundred Kentucky troops, were directed to be crossed over, to reinforce and protect it. Owing to some delay and difficulty in arming them, the latter, amounting, instead of four hundred, to but one hundred and eighty, did not arrive until the morning of

the 8th. A little before day, they were despatched to aid an advanced party, which under the command of Major Arnaut, had been sent to watch the movements of the enemy, and to oppose their landing. The hopes indulged from their opposition were not realized; and the enemy, unmolested, reached the shore.

Morgan's position, besides being strengthened by several brass twelves, was defended by a strong battery, mounting twenty-four pounders, directed by Commodore Patterson, which afforded additional strength and security. The line itself was not strong; yet, if properly maintained by the troops selected to defend it, was believed fully adequate to the purposes of successful resistance. Late at night, Patterson ascertained that the enemy had succeeded in passing their boats through the canal, and immediately communicated his information to the General. For the purpose of attack, he had already formed the idea of dropping the Louisiana schooner down. This thought, though well conceived, was abandoned, from the danger involved, and from an apprehension, lest the batteries erected on the river, with which she would come in collision, might, by the aid of hot shot, succeed in blowing her up. It was preferred patiently to await their arrival, believing it would be practicable, with the bravery of more than fifteen hundred men, and the slender advantages possessed from the line of defence, to maintain their position, and repel the assailants.

On the left bank, where the General in person commanded, every thing was in readiness to meet the assault when it should be made. The redoubt on the levee was defended by a company of the seventh regiment, under the command of Lieutenant Ross. The regular troops occupied that part of the entrenchment next the river. General Carroll's division was in the centre, supported by the Kentucky troops, under General John Adair; while the extreme left, extending for a considerable distance into the swamp, was protected by the brigade of General Coffee. How soon the attack should be waged, was uncertain; at what moment, rested with the enemy,—with us, to be in readiness for resistance. There were many circumstances, however, favouring the belief, that the hour of contest was not far distant, and indeed fast approaching; the bustle of to-day,—the efforts to carry their boats into the river,—the fascines and scaling-ladders that



were preparing, were circumstances pointing to attack, and indicating the hour to be near at hand. General Jackson, unmoved by appearances, anxiously desired a contest, which he believed would give a triumph to his arms, and terminate the hardships of his suffering soldiers. Unremitting in exertion, and constantly vigilant, his precaution kept pace with the zeal and preparation of the enemy. He seldom slept: he was always at his post, performing the duties of both general and soldier. His sentinels were doubled, and extended as far as possible in the direction of the British camp; while a considerable portion of the troops were constantly at the line, with arms in their hands, ready to act, when the first alarm should be given.

For eight days had the two armies lain upon the same field, and in view of each other, without any thing decisive being on either side effected. Twice, since their landing, had the British columns essayed to effect by storm the execution of their plans, and twice had failed—been compelled to relinquish the attempt, and retire from the contest. It was not to be expected that things could long remain in this dubious state. Soldiers, the pride of England,—the boasted conquerors of Europe, were there; distinguished generals were their leaders, who earnestly desired to announce to their country, and the world, their signal achievements. The high expectations which had been indulged of the success of this expedition, were to be realized, at every peril, or disgrace would follow the failure.

The never to be forgotten 8th of January at length arrived. The day dawned; and signals, intended to produce concert in the enemy's movements, were descried. On the left, near the swamp, a sky-rocket was perceived rising in the air; and presently another ascended from the right, next the river. They were intended to announce that all was prepared and ready, to proceed and carry by storm a defence which had twice foiled their utmost efforts. Instantly the charge was made, and with such rapidity, that our soldiers, at the out posts, with difficulty fled in.

The British batteries, which had been demolished on the 1st of the month, had been re-established during the preceding night, and heavy pieces of cannon mounted, to aid in their intended operations. These now opened, and

showers of bombs and balls were poured upon our line; while the air was lighted with their congreve rockets. The two divisions, commanded by Sir Edward Packenham in person, and supported by Generals Keane and Gibbs, pressed forward; the right against the centre of General Carroll's command,—the left against our redoubt on the levee. A thick fog, that obscured the morning, enabled them to approach within a short distance of our entrenchment, before they were discovered. They were now perceived advancing, with firm, quick, and steady pace, in column, with a front of sixty or seventy deep. Our troops, who had for some time been in readiness, and waiting their appearance, gave three cheers, and instantly the whole line was lighted with the blaze of their fire. A burst of artillery and small arms, pouring with destructive aim, mowed down the front, and arrested their advance. In our musketry there was not a moment's intermission; as one party discharged their pieces, another succeeded: alternately loading and appearing, no pause could be perceived,—it was one continued volley. The columns already perceived their dangerous and exposed situation. Battery No. 7, ably served by Lieutenant Spotts, galled them with incessant, and a destructive fire. Nos. 6 and 8 were no less actively employed, and no less successful in felling them to the ground. Notwithstanding the severity of our fire, which few troops could for a moment have withstood, some of those brave men pressed on, and succeeded in gaining the ditch, in front of our works, where they remained during the action, and were afterwards made prisoners. The horror before them was too great to be withstood; and already were the British troops seen wavering in their determination, and receding from the conflict. At this moment, Sir Edward Packenham, hastening to the front, endeavoured to encourage and inspire them with renewed zeal. His example was of short continuance: he fell, mortally wounded, in the arms of his aid-de-camp, not far from our line. Generals Gibbs and Keane also fell, and were borne from the field, dangerously wounded. At that moment, General Lambert, who with the reserve was advancing at a small distance in the rear, met the columns precipitately retreating, and in great confusion. His efforts to stop them were unavailing,—they continued retreating, until they reached a ditch, at the distance of

four hundred yards, where safety being found, they were rallied, and halted.

The field, over which they had advanced, was strewed with the dead and dying. Danger hovered still around; yet, urged and encouraged by their officers, they again moved to the charge. They were already near enough to deploy, and were endeavouring to do so; but the same constant and unremitted resistance that caused their first retreat, continued yet unabated. Our batteries had never ceased their fire; a constant discharge of grape and canister, and the fatal aim of our musketry, mowed down the front of the columns as fast as they could be formed. Satisfied nothing could be done, and that certain destruction awaited all further attempts, they forsook the contest and the field in disorder, leaving it covered with the dead and wounded. It was in vain their officers endeavoured to animate them to further resistance, and equally vain to attempt coercion. The panic produced from the dreadful repulse they had experienced; the plain, on which they acted, being covered with innumerable bodies of their countrymen; while, with their most zealous exertions, they had been unable to obtain the slightest advantage, were circumstances calculated to make even the most submissive soldier oppose the authority that would have controlled him.

The light companies of fusileers; the forty-third and ninety-third regiments, and one hundred men from the West India regiment, led on by Colonel Rennie, were ordered to proceed under cover of some chimneys, standing in the field, until having cleared them, to oblique to the river, and advance, protected by the levee, against our redoubt. This work, having been but lately commenced, was in an unfinished state. The detachment ordered against this place, formed the left of General Kean's command. Rennie executed his orders with great bravery; and, urging forward, arrived at the ditch. His advance was greatly annoyed by Commodore Patterson's battery on the right bank, and the cannon mounted on the redoubt; but reaching our works, and passing the ditch, Rennie, sword in hand, leaped on the wall, and calling to his troops, bade them follow; he had scarcely spoken, when he fell by the fatal aim of our riflemen. Pressed by the impetuosity of superior numbers, who were mounting the wall, and entering at the embrasures, our troops retired

to the line, in rear of the redoubt. A momentary pause ensued, but only to be interrupted with increased horrors. Captain Beal, with the city riflemen, cool and self-possessed, perceiving the enemy in his front, opened upon them, and at every discharge brought the object to the ground. To advance, or maintain the point gained, was equally impracticable for the enemy: to retreat or surrender was the only alternative; for they already perceived the division on the right thrown into confusion, and hastily leaving the field.

General Jackson being informed of the success of the enemy on the right, and of their being in possession of the redoubt, pressed forward a reinforcement to regain it. Previously to its arrival they had abandoned the attempt, and were retiring. They were severely galled by such of our guns as could be brought to bear. By Commodore Patterson's battery, on the right bank, they suffered greatly. Enfiladed by this, on their advance, they had been greatly annoyed, and now, in their retreat, were no less severely assailed. Numbers found a grave in the ditch, before our line; and of those who gained the redoubt, not one, it is believed, escaped;—they were shot down as fast as they entered. The route, along which they had advanced and retired, was strewn with bodies. Affrighted at the carnage, they moved from the scene hastily and in confusion. Our batteries were still continuing the slaughter, and cutting them down at every step: safety seemed only to be attainable when they should retire without the range of our shot; which, to troops galled severely as they were, was too remote a relief. Pressed by this consideration, they fled to the ditch, whither the right division had retreated, and there remained until night permitted them to retire.

Here was a period, the most auspicious that had appeared during the war, to have gained a complete triumph to our arms. What important events, in a nation's history, are often the result of slight occurrences! and how often are they prevented by causes no less inconsiderable! This truth is apparent in the fate of this grand expedition, which had been fitted out to humble our national pride; and which would have been captured or destroyed but for the ill-timed policy of the government, or its agents, who prevented the arrival of the arms destined for this place, because an inconsiderable sum was thereby saved to the

nation. A considerable portion of our troops were inactive and useless for the want of arms. If this had not been the case—had they been in a situation to act efficiently, the whole British army must have submitted. But, situated as Jackson was, pursuit would have been rashness; though, with the additional force which a sufficiency of arms would have placed at his command, much might have been effected against an enemy whose ranks were thinned by the unparalleled slaughter of the day; and who, panic-struck, and fleeing from the danger before them, were incompetent to resistance, and already believed themselves conquered: but prudence, under existing circumstances, opposed the idea of pursuit, and suggested to the commanding general, that although he had thus signally achieved even more than he had expected, yet with the kind of troops it had been effected, inferior in number and discipline, to attempt, even under present advantages, a contest on the plain, was hazarding too greatly, and too much.

Colonel Hinds in person, applied to the commanding general for leave to pursue, at the head of his dragoons, the fleeing and broken columns of the enemy: Jackson would not permit it. "My reason for refusing," he remarked, "was, that it might become necessary to sustain him, and thus a contest in the open field be brought on: the lives of my men were of value to their country, and much too dear to their families, to be hazarded where necessity did not require it; but above all, from the numerous dead and wounded stretched out on the field before me, I felt a confidence that the safety of the city was most probably attained, and hence, that nothing calculated to reverse the good fortune we had met should be attempted."

His reasoning on this subject was certainly correct, and such as feeling and policy sanctioned. If an attack had been urged, and the effort crowned with success, enough having been done, the splendour of the late transaction could be but partially increased, and little additional lustre reflected on the American character: if, however, unsuccessful, the object of the expedition was then secured to the enemy; and all that had, for so many days, and under such weighty privations, been contended for, would, at the instant, have been sacrificed and lost. In addition to this, his soldiers were most of them owners of

the soil, who had families anxiously concerned for their safety, and whose happiness depended upon their return: such men would have proven a loss to the community, too great to warrant their being risked for the mere gratification of pride; in opposition, too, to those whose trade was war; and who, wholly abstracted from every thing like principle, contended in battle without knowing why, or for what they fought. The lives of his soldiers were too valuable to their families and the community, to be risked upon a venture not warranted by necessity, nor required by the interest and honour of the country. He preferred, therefore, to adopt what seemed the safer course; to continue his position, which assured protection to the city, and the inhabitants, rather than by endeavouring to obtain more, to endanger the loss of every thing.

The efforts of the enemy to carry our line of defence on the left, were seconded by an attack on the right bank of the river, with eight hundred chosen troops, under the command of Colonel Thornton. Owing to the difficulty of passing the boats from the canal to the river, and the strong current of the Mississippi, the troops destined for this service were not crossed, nor the opposite shore reached for some hours after the expected moment of attack. By the time he had effected a landing, the day had dawned, and the flashes of the guns announced the battle begun. Supported by three gun-boats, he hastened forward, with his command, in the direction of Morgan's entrenchment.

Some time during the night of the 7th, two hundred Louisiana militia had been sent off, to watch the movements of the enemy, and oppose him in his landing: this detachment, under the command of Major Arnaud, had advanced a mile down the river and halted; either supposing the General incorrect, in apprehending an attack, or that his men, if refreshed, would be more competent to exertion, he directed them to lie down and sleep: one man only was ordered to be upon the watch, lest the enemy should approach undiscovered. Just at day, he called upon his sleeping companions, and bade them rise and be ready, for he had heard a considerable bustle, a little below. No sooner risen, than confirmed in the truth of what had been stated, they moved off in the direction they had come, without even attempting an execution of their orders. The Kentucky troops, having reached Morgan's line at five o'clock in the morning, were immediate-

ly sent to co-operate with the Louisianians. Major Davis, who commanded, had proceeded about three quarters of a mile, and met those troops hastily retreating up the road; he ascertained from them that the enemy had made the shore; had debarked, and were moving rapidly up the levee. He informed them for what purpose he had been despatched,—to oppose an approach as long as practicable, and with their assistance, he would endeavour to execute his orders.

The two detachments acting together, formed behind a saw-mill-race, skirted with a quantity of plank and scantling, which afforded a tolerable shelter. Davis, with his detachment of Kentuckians, formed on the road next the river, supported by the Louisiana militia on the right. The enemy appearing, their approach was resisted, and a warm and spirited opposition for some time maintained: a momentary check was given. The British again advanced, and again received a heavy fire. At this moment, General Morgan's aid-de-camp, who was present, perceiving the steady advance of the enemy, and fearing for the safety of the troops, ordered a retreat. Confusion was the consequence—order could not be maintained, and the whole fled, in haste, to Morgan's line. Arriving in safety, though much exhausted, they were immediately directed to form, and extend themselves to the swamp; that the right of the entrenchment might not be turned.

Colonel Thornton having reached an orange grove, about seven hundred yards distant, halted; and examining Morgan's line, found it to "consist of a formidable redoubt on the river," with its weakest and most vulnerable point towards the swamp. He directly advanced to the attack, in two divisions, against the extreme right and centre of the line; and, having deployed, charged the entrenchment, defended by about fifteen hundred men. A severe discharge, from the field pieces mounted along our works, caused the right division to oblique, which, uniting with the left, pressed forward to the point occupied by the Kentucky troops. Perceiving themselves thus exposed, and having not yet recovered from the emotions produced by the first retreat, they began to give way, and very soon entirely abandoned their position. The Louisiana militia gave a few fires and followed the example. Through the exertions of the officers, a momentary halt was effected; but a burst of congreve rockets

falling thickly and setting fire to the sugarcane, and other combustibles around, again excited their fears, and they moved hastily away; nor could they be rallied, until at the distance of two miles, having reached a saw-mill-race, they were formed, and placed in an attitude of defence.

Commodore Patterson, perceiving the right flank about to be turned, had ceased his destructive fire against the retreating columns on the opposite shore, and turned his guns to enfilade the enemy next the swamp; but, at the moment when he expected to witness a firm resistance, and was in a situation to co-operate, he beheld those, without whose aid all his efforts were unavailing, suddenly thrown into confusion, and forsaking their posts. Discovering he could no longer maintain his ground, he spiked his guns, destroyed his ammunition, and retired from a post where he had rendered the most important services.

In the panic that produced this disorderly retreat, at a moment when manly resistance was expected, are to be found circumstances of justification, which might have occasioned similar conduct even in disciplined troops. The weakest part of the line, and which was protected but by a slight ditch, was assailed by the greatest strength of the enemy; this was defended by one hundred and eighty Kentuckians, who were stretched out to an extent of three hundred yards, and unsupported by any pieces of artillery. Thus openly exposed to the attack of a greatly superior force, and weakened by the extent of ground they covered, it is not to be wondered at, or deserving of reproach, that they should have considered resistance ineffectual, and forsaken a post, which they had strong reasons for believing they could not maintain. General Morgan reported to General Jackson the misfortune and defeat he had met, and attributed it to the flight of those troops, who had also drawn along with them the rest of his forces. It is true, they were the first to flee; and equally true, that their example may have had the effect of producing general alarm; but in point of advantageous situation, the troops materially differed: the one, as we have shown, were exposed, and enfeebled by the manner of their arrangement; the other, though considerably superior in numbers, covered no greater extent of ground, and were defended by an excellent breast-work, and several pieces of cannon: with this difference, the loss of confidence of the former was not without sufficient cause. Of these



facts, Commodore Patterson was not apprized—General Morgan was: both, however, attributed the disaster to the flight of the Kentucky militia. Upon their information, General Jackson founded his report to the secretary of war, by which those troops were exposed to censures they did not merit. Had all the circumstances, as they existed, been disclosed, reproach would have been prevented. At the mill-race, no troops could have behaved better: they were well posted, and bravely resisted the advance of the enemy, nor, until an order to that effect was given, had entertained a thought of retreating.

The heart-felt joy at the glorious victory achieved on one side of the river, was clouded by the disaster witnessed on the other. A position was gained which secured to the enemy advantages the most important; and whence our whole line, on the left bank, could be severely annoyed. But for the precaution of Commodore Patterson, in spiking his guns, and destroying the ammunition, it would have been in the power of Colonel Thornton to have completely enfiladed our line of defence, and rendered it untenable. Fearful lest the guns might be unspiked, and brought to operate against him, General Jackson hastened to throw detachments across, with orders to regain the position at every hazard. To the troops on the right bank, he forwarded an address, with a view to excite them to deeds of valour, and inspirit them to exertions that should wipe off the reproach they had drawn upon themselves.\* Previously, however, to their being in readiness to act, he succeeded through management in re-obtaining his lost position, and thus spared the effusion of blood which would have been necessary to its accomplishment.

The loss of the British, in the attack, on the left bank, has been, at different times, variously stated. The killed, wounded, and prisoners, ascertained, on the next day after the battle, by Colonel Hayne, the inspector-general, places it at twenty-six hundred. General Lambert's report to Lord Bathurst makes it but two thousand and seventy. From prisoners, however, and information and circumstances derived through other sources, it must have been even greater than is stated by either. Among them was the Commander-in-chief, and Major-General

\* See note D.

Gibbs, who died of his wounds the next day, besides many of their most valuable and distinguished officers; while the loss of the Americans, in killed and wounded, was but thirteen.\*

It appears to have been made a question by the British officers, if it would not be more advisable to carry General Morgan's line, and refrain from any attempt on this side the river. It was believed, that if successful in the attack, they would be able to force General Jackson from his entrenchment, and pass with the main body of the army, in safety, to the city. A letter found in the possession of Captain Wilkinson, a British officer, who fell in the battle, to a friend at home, in the war department, speaking on this subject, shows that a difference of opinion prevailed, and confesses his own as being decidedly in favour of a vigorous attack on both sides. It bears date late on the night of the 7th, nor does it appear, although he was a captain and brigade-major; that he, at that time, knew whether an assault was seriously intended against Jackson's line, or was designed as a feint, to aid the operations of Colonel Thornton. With the true spirit of a British officer, however, he indulged in entire confidence a hope of success,—entertained no fears for the result, nor doubted but that the Americans would at once retire before their superior skill and bravery. A general order, which must have been communicated after he had written, disclosing the manner of attack, on the left, where he acted, was also found with the letter. In that the fusiliers and light troops were instructed, after reaching our line, to act as a pursuing squadron, and keep up alarm, while the army on the right should press closely in the rear and support them. It breathes an assurance of success, and shows with what anxiety they looked to the approaching morn, as likely to bring with it a successful termination of their labours, and a triumph over a foe, whose

\* Our effective force, at the line, on the left bank, was three thousand seven hundred; that of the enemy at least nine thousand. The force landed in Louisiana has been variously reported: the best information places it at about fourteen thousand. A part of this acted with Colonel Thornton; the climate had rendered many unfit for the duties of the field; while a considerable number had been killed and wounded in the different contests since their arrival. Their strength, therefore, may be fairly estimated, on the 8th, at the number we have stated; at any rate, not less.

advantages, more than bravery, they supposed, had so long baffled their utmost efforts.

That it was considered, however, an undertaking of greater magnitude and hazard than they were disposed openly to admit, is obvious, from one circumstance. The officer who leads his troops on a forlorn attempt, not unfrequently places before them allurements stronger than either authority or duty. On the present occasion, this resort was not omitted; and inducements were held out, than which nothing more inviting could be offered to an infuriated soldiery.\* Let it be remembered of that gallant but misguided general, who has been so much deplored by the British nation, that, to the cupidity of his soldiers, he promised the wealth of the city, as a recompense for their gallantry and desperation; while, with brutal licentiousness, they were to revel in lawless indulgence, and triumph, uncontrolled, over female innocence. Scenes like these, our nation, dishonoured and insulted, had already witnessed; she had witnessed them at Hampton and Havre-de-Grace: but it was reserved for her yet to learn that an officer of the character and standing of Sir Edward Packenham, polished, generous, and brave, should, to induce his soldiers to acts of daring valour, permit them, as a reward, to insult, injure, and debase those whom all mankind, even savages, reverence and respect. The history of Europe, since civilized warfare began, is challenged to afford an instance of such gross depravity,—such wanton outrage on the morals and dignity of society. English writers may deny the correctness of the charge; it certainly interests them to do so: but its authenticity is too well established to admit of doubt, while its criminality is increased, from being the act of a people who hold themselves up to surrounding nations as examples of every thing that is correct and proper. The facts and circumstances which were presented at the time of this transaction left no doubt on the minds of our officers, but that “*Beauty and Booty*” was the watchword of the day. The information was obtained from prisoners, and confirmed by the books of two of their orderly-sergeants taken in battle, which contained record proof of the fact.

The events of this day afford abundant evidence of the liberality of the American soldiers, and show a striking

\* “*Booty and Beauty*,” was the watch-word of Sir Edward Packenham’s army, in the battle of the 8th.

difference in the troops of the two nations. While one were allured to acts of bravery and duty, by the promised pillage and plunder of the inhabitants, and the commission of crimes abhorrent in the sight of earth and heaven, the other fought but for his country, and, having repelled her assailants, instantly forgot all enmity, viewed his fallen foe as a brother, and hastened to assist him, even at the hazard of his own life. The gallantry of the British soldiers, and no people could have displayed greater, had brought many of them even to our ramparts, where, shot down by our troops, they were lying badly wounded. When the firing had ceased, and the columns retired, our troops, with generous benevolence, advanced over the line, to assist and bring in the wounded, which lay under and near the walls; when, strange to tell, the enemy, from the ditch they occupied, opened a fire upon them, and, though at a considerable distance, succeeded in wounding several. It was enough for our generous soldiers, that they were doing an act which the benevolence of their hearts approved, and, with charitable perseverance, they continued to administer to the wants of these suffering men, and to carry them within their lines, although, in their efforts, they were continually exposed to danger. Let the apologist for crime say, wherefore were acts thus unpardonable committed against men, who were administering to the wants and relieving the sufferings of the dying countrymen of those who thus repaid the most laudable humanity with wanton and useless cruelty.

A communication, shortly after, from Major-general Lambert, on whom, in consequence of the fall of Generals Pakenham, Gibbs, and Keane, the command had devolved, acknowledges to have witnessed the kindness of our troops to his wounded. He solicited of General Jackson permission to send an unarmed party to bury the dead, lying before his lines, and to bring-off such of the wounded as were dangerous. Though, in all probability, it was unknown to General Lambert what had been the conduct of his troops on this occasion, and unquestionably not authorized by him, yet Jackson, in answer to his despatch, did not omit to bring it to his view, and to express his utter abhorrence of the act. The request to bury the dead was granted. General Jackson, though, refused to permit a near approach to his line, but consented that the wounded who were at a greater distance than three hun-

dred yards from the entrenchment should be relieved, and the dead buried: those nearer were, by his own men, to be delivered over, to be interred by their countrymen. This precaution was taken, that the enemy might not have an opportunity to inspect, or know any thing of his situation.

General Lambert, desirous of administering to the relief of the wounded, and that he might be relieved from his apprehensions of attack, proposed, about noon, that hostilities should cease until the same hour the next day. General Jackson, cherishing the hope of being able to secure an important advantage, by his apparent willingness to accede to the proposal, drew up an armistice, and forwarded it to General Lambert, with directions for it to be immediately returned, if approved. It contained a stipulation to this effect—that hostilities, on the left bank of the river, should be discontinued from its ratification, but on the right bank they should not cease; and, in the interim, that under no circumstances were reinforcements to be sent across, by either party. This was a bold stroke at stratagem; and, although it succeeded, even to the extent desired, was yet attended with considerable hazard. Reinforcements had been ordered over to retake the position lost by Morgan in the morning, and the General presumed they had arrived at their point of destination, but, at this time, they had not passed the river, nor could it be expected to be retaken with the same troops who had yielded it the day before, when possessed of advantages which gave them a decided superiority: this the commanding general well knew; yet, to spare the sacrifice of his men, which, in regaining it, he foresaw must be considerable, he was disposed to venture upon a course to excite alarm, and which, he felt assured, could not fail of success. It was impossible his object could be discovered; while he confidently believed the British commander would infer, from the prompt and ready manner in which his proposal had been met, that such additional troops were already thrown over, as would be fully adequate to the purposes of attack, and greatly to endanger, if not wholly to cut off, Colonel Thornton's retreat. General Lambert's construction was such as had been anticipated. Although the armistice contained a request that it should be immediately signed and returned, it was neglected to be acted upon until the next day; and Thornton and his command were, in the interim, under cover of the night, re-crossed, and

the ground he occupied left to be peaceably possessed by the original holders. The opportunity thus afforded of regaining a position on which, in a great degree, depended the safety of those on the opposite shore, was accepted with an avidity its importance merited, and immediate measures taken to increase its strength, and prepare it against any future attack that might be made. This delay of the British commander was evidently designed, that, pending the negotiation, and before it was concluded, an opportunity might be had of removing Colonel Thornton and his troops from a situation apparently extremely perilous. Early the next morning, General Lambert, returned his acceptance of what had been proposed, with an apology for having failed to reply sooner: he excused the omission, by pleading a press of business; which had occasioned the communication to be overlooked and neglected. Jackson was at no loss to attribute the delay to the correct motive: the apology, however, was as perfectly satisfactory to him as any thing that could have been offered; beyond the object intended to be effected, he felt unconcerned, and having secured this, rested perfectly satisfied. It cannot, however, appear otherwise than extraordinary, that this neglect should have been ascribed by the British general to accident, or a press of business, when it must have been of greater importance, at that moment, than any thing which he could possibly have had before him.

The armistice was this morning, (9th of January) concluded, and agreed to until two o'clock in the evening. The dead and wounded were now removed from the field, which for three hundred yards in front of our line of defence, they almost literally covered. For the reason already suggested; our soldiers, within the line of demarcation between the two camps, delivered over to the British, who were not permitted to cross it, the dead for burial, and the wounded on parole, for which it was stipulated, an equal number of American prisoners should be restored.

It has seldom happened that officers were more deceived in expectation than were the British in the result of this battle, or atoned more severely their error: their reasoning had never led them to conclude that militia would maintain their ground when warmly assailed: no other belief was entertained, than that alarmed at the appearance and orderly firm approach of veteran troops, they

would at once forsake the contest, and in flight seek for safety. At what part of our line they were stationed, was ascertained by information derived through a deserter, on the 6th; and influenced by a belief of their want of nerve, and deficiency in bravery, at this point the main assault was urged. They were indeed militia; but the enemy could have assailed no part of our entrenchment where they would have met a warmer reception, or where they would have found greater strength: it was indeed the best defended part of the line. The Kentucky and Tennessee troops, under Generals Carroll, Thomas and Adair, were here, who had already, on former occasions, won a reputation too dear to be sacrificed. These divisions, alternately charging their pieces, and mounting the platform, poured forth a constant fire, that was impossible to be withstood, repelled the advancing columns, and drove them from the field, with prodigious slaughter.

There is one fact told, to which general credit seems attached, and which clearly shows the opinion had by the British of our militia, and the little fear which was entertained of any determined opposition from them. When repulsed from our line, the British officers were fully persuaded that the information given them by the deserter, on the night of the 6th, was false, and that instead of pointing out the ground defended by the militia; he had referred them to the place occupied by our best troops; he was a Spaniard. Enraged at what they believed an intentional deception, they called their informant before them, to account for the mischief he had done. It was in vain he urged his innocence, and, with the most solemn protestations, declared he had stated the fact truly as it was. They could not be convinced,—it was impossible that they had contended against any but the best disciplined troops; and, without further ceremony, the poor fellow, suspended, in view of the camp, expiated, on a tree, not his crime, for what he had stated was indeed true, but their error, in underrating an enemy who had already afforded abundant evidences of valour. In all their future trials with our countrymen, may they be no less deceived, and discover in our yeomanry a determination to sustain with firmness, a government which knows nothing of oppression; but which, on an enlarged and liberal scale, aims to secure the independence and happiness of man. If the people of the United States, unfettered almost as the air

they breathe, shall at any time omit to maintain their privileges, their constitutional rights and free government, then indeed will it be idle longer to speak of the capacity of man to govern himself: the dream of liberty must fade away and perish for ever, no more to be thought of, or remembered; for under auspices promising better success, the attempt of self-government can never again be made.



## CHAPTER XI.

Bombardment of Fort St. Philip.—British army retire to their shipping.—General Jackson, with his troops, returns to New Orleans.—Day of thanksgiving.—Reduction of Fort Bowyer.—Legislature of Louisiana recommence their session.—Discontents fomented among the American troops.—Arrest of Louaillier,—of Judge Hall.—Peace announced.—General Jackson is prosecuted for contempt of court—his appearance in court.—Speech at the Coffee-House.—His own opinion of martial law.—Troops are discharged, and the General returns to Nashville.—His person and character.—Conclusion.

THE conflict had ended, and each army occupied its former position. In appearance the enemy were visibly altered: menace was sunk into dejection, and offensive measures yielded for those which promised safety. Their bold attitude so long preserved, was now lain aside; and they were perceived to be erecting partial defences, to guard against expected attack. It had been already announced, upon good authority, that a considerable force had succeeded in passing the Balize—made prisoners of a detachment there, and was proceeding up the Mississippi, to co-operate with the land forces. It was intended to aid in the battle of the 8th, but failing to arrive, the attack had been made without it. Whether the enemy, chagrined and mortified at the failure of an effort, into which the idea of disappointment had never entered, might not again renew the attack, on the arrival of this force, was a probable event, and every preparation was in progress to be again in readiness to repel it.

Of this formidable advance, no certain intelligence was received until the night of the 11th, when a heavy canno-



nading, supposed to be on Fort St. Philip, was distinctly heard. The advantages in defence, which the precaution and vigilance of the General had early extended to this passage, added to an entire confidence in the skill and bravery of the officer to whom it had been confided, led him to believe there was nothing to be apprehended; and that every thing which duty and bravery could effect, would be done. The enemy's squadron, consisting of two bomb vessels, a brig, sloop, and schooner, were discovered by the videttes, from Fort Bourbon, on the morning of the 9th, directing their course up the river; signals were made,—information communicated, and every thing was in readiness to receive them. About ten o'clock, having approached within striking distance, an assault was commenced on the fort, and an immense quantity of bombs and balls were discharged against it. A severe and well-directed fire from our water battery soon compelled them to abandon the attack, and retire about two miles. At this distance, the enemy was possessed of decided advantages,—having it in their power to reach the fort, with the shot from their large mortars, while they were entirely without the range of ours. The assault continued, without much intermission, from the 9th until the night of the 17th. They had hitherto lain beyond the effective range of our shot, and although from their large mortars the fort had been reached, and pierced in innumerable places, still, such an effect had not been produced, as to justify a belief, that they could now, more than at the moment of their arrival, venture to pass.

Major Overton, who commanded at this place, his officers, and soldiers, distinguished themselves by their activity and vigilance. To arrest the enemy's passage, and prevent them from uniting with the forces below the city, was of great importance; and to succeed in this was as much as could be expected. So long, therefore, as they kept at a distance; nor attempted a final accomplishment of their object, no other concern was felt than to watch their manœuvres, and adopt such a course as should afford security to the troops in the garrison. During the period of the bombardment, which lasted with little intermission for nine days, sleep was almost a stranger in the fort. The night was the time when most of all it was feared that the enemy, aided by the darkness, and assisted by some fortunate breeze, would have it in their power to

ascend the river, in despite of every opposition: the constant activity which was necessary, prevented all opportunities for repose. On a tempestuous night, the wind setting fair, an attempt was made to pass: to divert the attention of the fort, and favour the chances for ascent, their boats were sent forward to commence an attack. In this, however, they were disappointed, and compelled to abandon the undertaking. At length, after many fruitless efforts, and an immense waste of labour and ammunition, on the morning of the 18th they retired without effecting their purpose, or producing, to us, a greater injury than the loss of nine of the garrison, who were killed and wounded.

The failure of this squadron to ascend the river, perhaps, determined General Lambert in the course which he adopted. His situation before our line was truly an unpleasant one. Our batteries, after the 8th, were continually throwing balls and bombs into his camp; and wherever a party of troops appeared, they were greatly annoyed. Thus harassed,—perceiving that all assistance through this channel had failed, and being constantly in apprehension lest an attack should be made upon him, he resolved on availing himself of the first favourable opportunity for departing, and to forsake a contest where every effort had met disappointment, and where an immense number of his troops had found their graves. The more certainly to effect a retreat in safety, detachments had been sent out to remove every obstruction that could retard their progress through the swamp; while, to give greater facility to his departure, strong redoubts were erected on the way, and bridges thrown across every creek and bayou that obstructed the passage. Every thing being thus prepared, on the night of the 18th, General Lambert silently decamped, and, proceeding towards the lake, embarked for his shipping, leaving, and recommending to the clemency and hospitality of the American general, eighty of his soldiers, who were too severely wounded to be removed. With such silence and caution was this decampment managed, that not the slightest intelligence was communicated, even to our sentinels occupying the out posts. Early the next morning, the enemy's camp was perceived to be evacuated; but what had become of them, and whither they had gone, could only be conjectured: no information on the subject was possessed. To

ascertain the cause of this new and sudden appearance of things, detachments were in readiness to proceed and reconnoitre their camp, when Surgeon Wadsdale, of the staff, arrived at our line, with a letter to General Jackson, from the British commander, announcing his determination to suspend, "for the present, all further operations against New Orleans," and requesting his humanity towards the wounded he had left, and whom necessity had compelled him to abandon.

Detachments were now sent out to ascertain the cause of this unexpected state of things; with orders to harass their rear, if a retreat were really intended. But the precaution taken by the enemy, and the ground over which they were retreating, prevented pursuit in sufficient numbers to secure any valuable result. The system of operations which Jackson had prescribed for himself, was such he believed as policy sanctioned, nor to be abandoned but for advantages evidently certain, and which admitted not of question. To pursue on a route protected and defended by canals, redoubts, and entrenchments, would, at least, have been adventuring upon an uncertain issue, where success was problematical, and where injury and loss might result.

Thus, at last, in total disappointment, terminated an invasion from which much had been expected. Twenty-six days ago, flushed with the hope of certain victory, had this army erected its standard on the banks of the Mississippi. At that moment, they would have treated with contempt an assertion, that in ten days they would not enter the city of New Orleans. How changed the portrait, from the reality! But a few days since, and they were confident of a triumph, and a successful termination of their labours: now, vanquished, beaten, and cut to pieces, at midnight, under cover of its darkness, they are found silently abandoning their camp,—breaking to pieces their artillery,—fleeing from an enemy, who, but a little while before, they had held in utter contempt, and submitting their wounded to his clemency. A demonstration is given, which, short of absolute proof, a Briton would have been among the last to have admitted, that fourteen thousand troops, who, oftentimes, against the sternest opposition, had signalized themselves in battle, and marched to victory, could, under any circumstances, be beaten, and one-third of them destroyed, by an inferior number

of men, who scarcely knew how to form in column, or deploy into line: yet did they know that which was of infinitely more service in nerving with strength the soldier's arm, and dispelling every thing of fear,—that they were contending for their rights, against a power which was causelessly seeking their destruction,—for privilege against usurpation,—for liberty, in opposition to oppression:—that they were fighting for a country they loved; and for enjoyments, which, once lost, could never be regained. Prompted by these considerations, they had entered the field, and under their influence had acted. For their toils and privations, they were amply remunerated: they had met their own and country's expectations—had saved a city from destruction—its inhabitants from cruelty and dishonour, and were carrying with them the lofty consolation which the recollection of a faithful discharge of duty never fails to inspire.

There was no certainty that the contest was finally ended. The enemy had indeed retired, and, “for the present, relinquished all further operations against New Orleans:” but of what continuance their forbearance would be, whether they might not avail themselves of the first flattering opportunity, to renew the struggle, and wipe off the stain of a defeat so wholly unexpected, could not be doubted. The hopes and expectations indulged, in England, of the success of this expedition, had inspirited the whole army; and failure had never been anticipated. They had now retired; yet, from their convenient situation, and having command of the surrounding waters, it was in their power, at a short notice, to re-appear, at the same, or some more favourable point—cause a repetition of the hardships already encountered, and, perhaps, succeed in the accomplishment of their views. These considerations led General Jackson to conclude, that, although, for the present, there was an abandonment of the enterprise, still it behoved him not to relax in his system of defence; but be in constant readiness to maintain the advantages he had gained; and not to risk a loss of the country by a careless indifference, growing out of the belief that danger had subsided. To prevent such a result, vigilance and caution were essentially necessary.

With entire control of the lakes and gulf, it could not be known at what point the enemy might venture on a second attack. General Jackson determined now, to with-

draw his troops from the position they had so long occupied, and place them about the city, whence, to repel any further attempt that should be made, they might be advanced wherever it should become necessary. The seventh regiment of infantry remained to protect the point he was leaving; while, further in advance, on Villery's canal, where a landing had first been effected, were posted a detachment of Kentucky and Louisiana militia. To secure this point more effectually, orders were given, on the 22d, to throw up a strong fortification, at the junction of Manzanet and Bayou Bienvenu; which order was again attempted to be executed on the 25th. On both occasions, failure was the result, the enemy having, on their retreat, left a strong guard at this place, which, from its situation, defied approach by a force competent to its reduction. Their occupying this position was looked to as a circumstance which afforded strong evidence that further hostilities were not wholly abandoned. To counteract, however, any advantages which might thence be derived, different points, along the swamp, and in the direction of Terre au Bœuf, were occupied, and strong works erected, to prevent their again reaching in this direction the shores of the Mississippi.

These arrangements being made, calculated, if not to prevent, at least to give intelligence of an approach in time to be resisted, on the 20th of January, General Jackson, with his remaining forces, commenced his march to New Orleans. The general glow excited, at beholding his entrance into the city, at the head of a long suffering and victorious army, was manifested by all those feelings which patriotism and sympathy inspire. The windows and streets were crowded, to view the man, who, by vigilance, decision, and energy, had preserved the country from the fate to which it had been devoted. It was a scene well calculated to excite the tenderest emotions. But a few weeks since, and every bosom throbbed for deliverance and safety. Fathers, sons, and husbands, urged by the necessity of the times, were toiling in defence of their wives and children. A ferocious soldiery, numerous, and skilled in the art of war, and to whom every indulgence had been promised, were straining exertion to effect their object. Every cannon that echoed from the line was, perhaps, the signal of approach, and the commencement of indescribable horrors. But those feelings

had subsided: the painful anticipations which had lasted so long, were gone. The tender female, relieved from the anguish of danger and suspense, no longer trembled for her safety and her honour: a new order of things had arisen: joy sparkled in every countenance; while scarcely a widow or an orphan was seen, to cloud the general transport. The commanding general, under whose banner every thing had been achieved, deliberate, cool, and sparing of the lives of the brave defenders of their country, had dispelled the storm which had so long threatened to involve the ruin of thousands; and was now restoring, safe and unhurt, those who had with him maintained the contest. His approach was hailed with acclamations: it was not the kind of applause, which, resulting from fear, is oftentimes extended by the subject, to some conqueror or tyrant returning in triumph, but that which was extended by citizens to a citizen soldier, springing from affection, and founded in an honest sincerity of heart. All greeted his return, and hailed him as their deliverer.

But, amidst the warm expression of their thanks, and the honours and congratulations heaped upon him, he was not unmindful, that to an energy superior to his own, and a wisdom which controls the destiny of nations, was he indebted for the glorious triumph of our arms. Respited from the arduous duties of the field, his first concern was to draw the minds of all in thankfulness and adoration to that sovereign mercy, without whose aid, and inspiring counsel, vain would be all earthly efforts. The 23d having been appointed a day of prayer and thanksgiving for the happy deliverance effected by our arms, Jackson repaired to the cathedral. The church and altar were splendidly decorated, and more than could obtain admission had crowded to witness the ceremony. A grateful recollection of his exertions to save the country, was cherished by all; nor did the solemnity of the occasion, even here, restrain a manifestation of their regard, or induce them to withhold the honour he had so nobly earned. Children, robed in white, and representing the different states, were employed in strewing the way with flowers; while, as he passed, a flattering ode produced for the occasion saluted his ears.—

Hail to the chief! who hied at war's alarms,  
To save our threaten'd land from hostile arms;

Preserv'd, protected by his gallant care,  
 Be his the grateful tribute of each fair:  
 With joyful triumph swell the choral lay—  
 Strew, strew with flow'rs the hero's welcome way.  
 Jackson, all hail! our country's pride and boast,—  
 Whose mind's a council, and his arm a host;  
 Welcome, blest chief! accept our grateful lays,  
 Unbidden homage, and spontaneous praise;  
 Remembrance, long, shall keep alive thy fame,  
 And future infants learn to lisp thy name.

When the General reached the church, Dubourg, the reverend administrator of the diocese, met him at the door. Addressing him in a strain of pious eloquence, he entreated him to remember, that his splendid achievements, which were echoed from every tongue, were to be ascribed to Him to whom all praise was due. "Let the votary of blind chance," continued he, "deride our credulous simplicity. Let the cold-hearted atheist look for an explanation of important events, to the mere concatenation of human causes; to us, the whole world is loud in proclaiming a Supreme Ruler, who, as he holds the destiny of man in his hands, holds also the thread of all contingent occurrences; from his lofty throne, he moves every scene below,—infuses his wisdom into the rulers of nations, and executes his uncontrollable judgments on the sons of men, according to the dictates of his own unerring justice." He concluded his impressive address, by presenting the General with a wreath of laurel, woven for the occasion, and which he desired him to accept as "a prize of victory."

General Jackson accepted the pledge, presented as a mark of distinguished favour by the reverend prelate, and returned him a reply no less impressive than the address he had received. He was now conducted in, and seated near the altar, when the organ and church ceremonies were commenced, and inspired every mind with a solemn reverence for the occasion.\* These being ended, he retired to his quarters, to renew a system of defence, which would ensure entire safety, and ward off any future danger that might arise. The right bank of the Mississippi was now strengthened by additional reinforcements, and a strong position taken on La Fourche, to prevent any passage in that direction. Suitable arrangements for secu-

\* See note E.

rity having been already made below the city, General Coffee and Carroll were instructed to resume their former encampment, four miles above, where they had been stationed previously to the landing of the enemy. The rest of the troops were arranged at different points, where necessity seemed most to require it, and where they might be convenient, and concentrated for action, on the first appearance of danger.

Previously to General Lambert's departure, articles of agreement had been entered into by the commanders of the two armies, for an exchange of prisoners; in pursuance of which, sixty-three Americans, taken on the night of the 23d, from the left wing of General Coffee's brigade, had been delivered up: the remainder, principally those who had been taken at the capture of our gun boats, were shortly afterwards surrendered by Admiral Cochrane, and an equal number of British prisoners, in our possession, sent off to be delivered at the Balize.

The enemy had now withdrawn from the shore the troops which had been landed, and occupied their former position at Cat and Ship Island. Mortified at their unexpected disaster, they were projecting a plan, by which it was expected a partial advantage might, perhaps, be secured, and the stigma of defeat somewhat obliterated.

On the 6th of February, the British shipping appeared off Dauphin Island, fronting the point on which stood Fort Boyer, garrisoned with three hundred and sixty men. Having made the necessary arrangements, on the 8th an attack was commenced, both from the land and water. The fleet was formed in two divisions; and approached within one and two miles, bearing south and south-west. But the principal attack, and that which compelled a surrender, was from the shore, where Colonel Nicholls and Woodbine carried on their operations in September. Five thousand troops, aided by pieces of heavy ordnance, and secured from the fire of our guns by large embankments, urged the assault. Under cover of the two succeeding nights, redoubts had been thrown up, and trenches cut through the sand, which enabled them to approach gradually, and without being exposed to the fire of our guns. Twice, on the 8th, were detachments sent out to effect by storm the accomplishment of their purpose: but the fire from the fort compelled an abandonment of their course, and drove them to the necessity of approaching by trench-



es, protected by strong redoubts. To demolish these from the fort was impracticable; and to attempt to prevent their erection, by any sortie, with so weak a force, would have been rash and imprudent. Thus situated, and every thing being ready to attack and carry the fort, if opposition were still intended, about ten o'clock on the 11th the enemy hoisted a flag: Major Lawrence raised another. Hostilities ceased, and General Lambert required a surrender. The officers being convoked, with one consent agreed that further resistance would be ineffectual, and could only lead to the unnecessary loss of many valuable lives. A capitulation was agreed on, and the fort forthwith yielded to the enemy.

Previous to this attack, an alarming and threatening disturbance appeared amongst the troops at Fort Jackson, and which, on the 22d January, resulted in six of them being found guilty and sentenced to execution at Mobile, on a charge of mutiny and desertion. On the 24th of May, 1814, Governor Blount, acting under instructions from the Secretary of War, required one thousand men, for a tour of *six months*, to be drawn from the division of General Jackson, who at that time was a militia general in the service of the state; not the United States. Acting upon the order, the requisition was made, and on the 20th of the succeeding month (June) the required quota was rendezvoused, and marched to garrison the different forts in the Creek Country, bordering on Mobile. Between the 18th and 20th of September, before half the period for which they were mustered had expired, and for which by the government they subsequently were paid, a portion of this regiment becoming weary of the service, an alarming mutiny arose, which resulted in the desertion of two hundred. They claimed to be entitled to a discharge, for the reason, that the term was but for three months. Preparatory to a departure, and to strengthen themselves in their mutinous design, a paper was circulated to obtain the signatures of those who should be willing to act in concert, and depart together. To obtain supplies for the return march, the bake house in which was deposited the contractor's stores, was broken open and demolished. The cattle, procured with great difficulty and expense for the subsistence of the troops, were taken and killed. Sufficient supplies for their return being thus obtained, and the authority of officers in command placed at open defi-

ance, on the morning of the 20th of September, in a tumultuous manner, about two hundred abandoned their post and their duty, and set out for home. Early as news of this act of insubordination reached head quarters, a proclamation was issued commanding an arrest of the mutineers: some were taken and forcibly brought back; others voluntarily returned. For their trial a court martial was organized; and which, with one exception, was composed exclusively of officers from their own regiment, and who of course could not be presumed to entertain any feelings of unkindness or prejudice.

The court, consisting of five regular and two supernumerary members, proceeded to an examination and trial of these offenders, and sentenced six of them to be shot: the rest were condemned to a humiliating, though less severe punishment; part of their pay was to be stopped—their lost time to be made up by further service; their heads to be shaved; and at the expiration of their term to be drummed out of camp. Because of age and inexperience, some were recommended to the clemency of the General, and accordingly were pardoned. The residue of these offenders never received any other punishment than having their term of service enlarged, correspondent to the loss occasioned by the desertion. Pay during the period of the desertion was afterwards withheld by the government, who thereby recognized, and adopted the proceedings of the court. In behalf of those condemned to death, nothing of request or negotiation being presented from the court, they were left to their fate, without an exercise on the part of the General, of his respiting or pardoning power. The session of this court was at Mobile, nearly two hundred miles from New Orleans, where General Jackson, from the 1st of December, had been actively and busily engaged. Of the merits of the cases, and the extent of the imputed guilt, he could know nothing, unless as presented by the court, where rested both the fact and the law. To the recommendation of the court the General assented at once, and gave pardon and forgiveness to those thus presented to his consideration and clemency.

The course pursued towards these offenders was imperiously demanded by justice. The British army, to be sure, had on the 19th abandoned the siege of New Orleans, but they were yet a strong and powerful foe, and entirely in command of the water. When and where an

effort might be made to strike a further blow could not be known; all the information possessed upon this subject, was a communication from General Lambert to the commanding general of the American army, made at leaving his position before New Orleans, that he had determined "to suspend for the present all further operations." For General Jackson to be on the alert,—to guard every assailable point, and to protect from disaffection and mutiny the army, was required by every consideration of necessity to himself, and interest to the country. At such a moment of uncertainty and peril, to permit the army to be wasted and destroyed through riot and desertion, must have resulted in consequences most disastrous. Who pardoneth the guilty, murdereth the innocent, is a remark no less trite than true. If feeling apart from judgment had been exercised, these men might have lived to atone their error, or else again to set prejudicial and injurious examples. In doubtful cases, or where example may be dispensed with, mercy may plead successfully, but her voice ought never to be heard where the demands of justice are clearly ascertained, and the safety of a whole country warns against it. The enemy had retired, though they were yet powerful; and although "for the present all further operations were suspended," it was in their power to renew assault at any time. Official intelligence of peace, through an express from the government, was not communicated to General Jackson until the 13th of February, two days after the capture of Fort Bowyer; nor until the 19th, when similar information was received by General Lambert, did hostilities between the two armies terminate. At such time, and under such circumstances, justice, not mercy, should have claimed control. Had those offenders been pardoned, with no propriety afterwards could an effort have been made to arrest mutiny and insubordination, no matter to what untoward length both might have proceeded. Mercy so mistaken, at a period so threatening, might have carried with it consequences highly pernicious, and furnished an example, the force and effect of which might not afterwards have been provided against.

The legislature of Louisiana had re-commenced the session. The necessity which had induced a suspension of their deliberations, having been removed, by the departure of the enemy, they were no longer restricted in

the exercise of their constitutional privileges. Some of the members, during the past struggle, had forsaken their official duties, and repaired to the field, where more important services were to be rendered, and where they had manifested a zeal and devotion to the country worthy of imitation. A much greater part, however, had pursued a very opposite course, and stood aloof from impending danger. The disposition shown, on the 28th of December, to propose a capitulation with the enemy, has been adverted to: how far it was calculated to estrange public sentiment from a conviction, which the commanding general, throughout, had endeavoured to rivet and impress, "that the country could and would be successfully defended," can be easily imagined. But he had sinned beyond forgiveness. The course adopted—his arresting all proceedings, and suspending deliberation by placing an armed force at the door of the capitol, were viewed as intolerable infringements upon legislative prerogative—denounced as an abuse of power, and hence the first opportunity was seized to exhibit their resentment against the man who had stood forth in opposition, and defeated their designs.\* Whether it were better to indulge them in a heedless course, or, by interposing a remedy, arrest the purpose intended, preserve the nation from dishonour, and avert the dangerous consequences involved, was not a matter requiring much deliberation; nor was it a circumstance to justify the legislature in treating with disrespect, him who was the efficient cause of all that had been achieved.

No sooner had the members resumed the exercise of legislative duties, than their first concern was to pass in review, the incidents of the last month. To those who had acted vigilantly in the defence of the state, and who, by their toils and exertions, had contributed to its safety, they officially tendered their thanks; but of Jackson, nothing was said. We are not disposed to censure or call in question the conduct of this body, though the circumstances present no very favourable appearance. When danger threatened, they were disposed to make terms with the enemy, and obtain safety by a surrender of the city: from this they were prevented. Incensed at being thus unexpectedly restrained in the execution of their designs, no sooner did they resume the duties of their station, than

\* See page 210.

they became lavish in the praise of those who adopted and pursued a course directly contrary to their own; while in that commendation and approval, they intentionally neglected the very man to whom the country was indebted for its salvation. To Jackson, this was an immaterial circumstance; he had a mind incapable of being inflated by applause, or depressed by unmerited censure. He knew, full well, that his countrymen would duly appreciate his conduct, trace all his actions to their proper motives, and extend "honour to whom honour was due." *Humanum est errare*, was a maxim from which he claimed no exemption; but a conviction rested on his mind that necessity had prompted him to the course he had taken, and that if he had erred, it was for the general good: if legislative prerogative had been invaded, it was to save the actors from themselves; if constitutional forms and provisions had been violated, the country had been thereby protected from outrage, dishonour, and ruin. These afforded consolatory reflections, which the neglect or censures of none, could disturb, or take away. Mindful of what he owed to his country, and what was expected at his hands, he continued a course calculated to preserve the advantages he had secured, regardless of the cabal, the murmuring and intrigue of party.

Appearances in the American camp were about this time assuming an unfavourable aspect: present danger and alarm being removed, confusion was arising, and disaffection spreading through the ranks. Pretexts were sought to escape the drudgery of the field. Many naturalized citizens, who had been brought into the service, and made to aid in the general defence, were seeking exemption from further control, and claiming to be subjects of the king of France. Some were indeed foreigners: but most of them had become citizens of the United States; yet, notwithstanding, as French subjects, they were seeking, and actually procuring, exonerations through Monsieur Toussard, the consular resident at New Orleans. No applicant ever went away unsupplied, and hundreds, for the price of a consular certificate, obtained protections which were to relieve them from the drudgery of the field, and the ties due to their adopted country. A flag was displayed from the consul's residence, and a rumour circulated, that under it every Frenchman would find protection. Five dollars, the price of the certificate, was all that was required

of any applicant to assure, through the consul, the protection of the French government. Harassed by such evils, which were every day increasing, and having strong and satisfactory reasons to believe that the enemy, then within a few hours' sail of the shore, were constantly advised of his situation, Jackson determined to adopt such measures as would at once put down the machinations of the guilty and designing. Toussard, thus manifesting, what could be considered in no other light, a warmth of attachment to the English, and a desire to aid them, was ordered to leave the city—retire to the interior of the country, nor venture to return, until peace was restored. His countrymen, also, who were disposed to claim his protection, and abandon the service, were ordered to follow him, and, at their peril, not to appear again about New Orleans. The General did this with a view to his own security, and from a conviction that those who could thus shamefully seek to avoid a contest, threatened against a country which they had adopted, and whose privileges and benefits they had enjoyed, would not scruple, if occasion offered, to inflict any injury in their power;—he believed his camp, or its vicinity, by no means a proper place where such characters should be permitted to loiter.

Particular care and caution had been early taken that embarrassments on the score of citizenship might not arise. Danger threatening, it was no difficult matter to perceive, that on the ground of being subjects of a foreign power, and owing no allegiance to the United States, many would assert a neutrality and exemption from the fatigues and dangers of the field. If entitled to this character, then was it fair they should receive whatever of immunity could attach to their claim; yet if in prosperous times they had asserted their right to be citizens,—participated in our privileges, and drawn to themselves the benefits appertaining to that relation, then was there every justice in demanding of them those military services which were exacted of others; but as the language spoken was not vernacular, any inquiry on this subject, calculated to result in certainty, was attended with difficulty. Fortunately, however, a warmly contested election, the preceding summer, had taken place at New Orleans, and a register of the votes on the occasion had been preserved. To this document then, General Jackson resorted, and with this unanswerable argument, that those who

had voted, and thereby participated in the highest privileges of the country, should not now be permitted to deny, or throw off, a relation and citizenship thus established. By this mean, he rendered in a great degree, inoperative, the French consul's certificates, and compelled to the field, spite of their consular protection, every man whose name could be traced on the election roster.

Our own citizens, too, were giving rise to difficulties, and increasing the danger of the moment. Mr. Livingston had arrived on the 10th of March from the British fleet, whither he had gone to effect a general cartel: through him, Admiral Cochrane had announced the arrival of a vessel from Jamaica, with news, that a treaty of peace had been agreed on and signed by the two countries. This information was immediately caught at by the news-mongers, and from intention, or the want of correct intelligence, appeared in the *Louisiana Gazette*, in an entirely different shape: it communicated the arrival of a flag at head-quarters, with news of the conclusion of peace, and requesting a suspension of hostilities. It was evident, the effect of such a declaration must be, to introduce lassitude, or perhaps disaffection among the troops, and induce a belief that their accustomed vigilance was no longer necessary. Sensible of this, General Jackson sent for the editor, and instructed him to alter what he had stated, and exhibit the facts, which he now communicated truly as they were. He adopted this course, through fear of the consequences to be produced. One thing he well knew, that the enemy had retired, under circumstances of mortification and humbled feeling, at their complete discomfiture; nor while it remained not an improbable conjecture, that they might yet seek an accomplishment of their views, through any channel a hope of success could be discerned. Might not this annunciation of peace, and pretended request for a suspension of hostilities, introduced through the public journals, be a device of the enemy to induce a relaxation in his system of operation and defence: to divert his officers and soldiers from that attention and activity so essential to security,—to excite discontents and murmurings, and alternately a desire to be discharged from the further drudgery of a camp? All these dangers he saw lurking beneath the rumour if false; and whether true or false, it was foreign to his duty to be influenced by any thing, until it should be officially communicated by his govern-

ment. Fearful of the effect it might produce, he lost no time in addressing his army: "how disgraceful," he remarked, "as well as disastrous, would it be, if, by surrendering ourselves credulously to newspaper publications, often proceeding from ignorance, but more frequently from dishonest design, we should permit an enemy, whom we have so lately and so gloriously beaten, to regain the advantages he has lost, and triumph over us in turn." A general order, at the same time, announced that no publication relating to the army, was to be published in any newspaper, without first obtaining permission. It has been objected, that this prohibition, going to restrict the exercise of a constitutional right, was an outrage on the feelings and liberty of the country: but if the press be of so sacred and intangible a character, that it may adopt and pursue a course, calculated to scatter dissensions, and excite mutiny in the ranks of an army, when in the very face of an enemy, without the power of control, it is a circumstance to be regretted. Reflecting minds will determine, if an interposition of power were not necessary to restrain so dangerous a freedom, and to avert injury from a country, whose protection the press, when it seeks to injure, ceases to deserve.

Notwithstanding this salutary and innocent prohibition, shortly afterwards an anonymous publication appeared in the Louisiana Courier, calculated by its inflammatory character to excite mutiny among the troops, and afford the enemy intelligence of the situation, condition and disposition of the army. It was now high time, the General believed, to act with decision, and prove by the exercise of authority, that such conduct militated against the police, the safety of his camp and country, and required not to be passed with impunity. The enemy had heretofore effected a landing, secretly, and without opposition; and although beaten, might again return. If spies were to be nestled in his camp, and permitted to stand forth to the world with the gleanings of their industry, it was folly to believe the enemy would not profit by the information. Martial law yet prevailed in New Orleans, and he resolved to put it in execution against those who manifested such evident disregard of the public good. The editor was immediately sent for to the General's quarters; he stated the author of the piece to be ——— Louaillier, a member of the legislature, and he was thereupon discharged.



Louaillier was arrested, and detained for trial. This circumstance afforded civilians a fair opportunity of testing if it were in the power of a commanding general to raise the military above the civil authority, and render it superior by any declaration of his. Application was made to Judge Hall, for a writ of habeas corpus, which was immediately issued. The General, to render the example as efficacious as possible, and from information that the Judge had been much more officious than duty required: and believing it a combination and concert to test his power, determined to arrest the Judge also, and thereby at once to settle the question of authority. On a matter involving such important consequences, he believed it best to have it determined in a way to silence opposition, and show that he was resolved to put down every effort to thwart the measures he had adopted for defence, or which was calculated to destroy the police he had established for the tranquillity of his camp, and safety of the country.

Instead of surrendering Louaillier, and acting in obedience to the writ issued for his relief, he arrested the person of the Judge, and, on the 11th of March, sent him from the city, with these instructions—"I have thought proper to send you beyond the limits of my encampment, to prevent a repetition of the improper conduct with which you have been charged. You will remain without the line of my sentinels until the ratification of peace is regularly announced, or until the British shall have left the southern coast." He did this, believing he was right in the declaration of martial law, and that the good sense of Judge Hall, at so momentous a period, should have taught him a different course. He did it, because disposed to give complete effect to his measures—to silence opposition, and satisfy the refractory and designing, that judicial interference should not mar the execution of his plans, or afford a screen, behind which treason might stalk unmoled. He did it, to make the example effectual, and to obtain, through fear, that security which could not be had through love of country.

The mind coolly calculating, in the closet, cannot fairly appreciate the merits of this question. Proper inferences can be only drawn, by bearing in recollection all those circumstances which existed at the moment. That a zeal

suited to the occasion was not felt, the events already adverted to abundantly prove. The course pursued by the legislature had evidenced a feeling and conduct which had forfeited reliance; while the enemy being, as we have heretofore shown, constantly advised of every thing transacted in the American camp, plainly evinced, that safety and success were to be attained in no other way than by pursuing a course at once firm and determined.

The militia had already grown tired of the field, and sighed to be discharged from their toils. To impress on their minds a conviction, that, peace being restored, they were unnecessarily detained in service, when it rested on rumour alone; or to attempt, by any course of conduct, to render them more disaffected, carried with it such a degree of criminality and guilt, as could not be permitted, without endangering the safety of the country. This spirit of discontent had become extensively diffused. The different posts which had been established, could with difficulty be maintained. The Kentucky troops, and two hundred of the Louisiana militia, stationed in defence of Villery's canal, had abandoned their post. Chef Menteur, too, a point no less important, had been forsaken by one hundred and fifty of the Louisianians, spite of the remonstrances and exertions of officers to detain them. Governor Claiborne had been heard to declare, in words of mysterious import, that serious difficulties would be shortly witnessed in New Orleans. For the commanding general, at a time like this, when disaffection was spreading like contagion through his camp, patiently to have stood and witnessed mutiny fomented and encouraged by persons who, from their standing in society, were calculated to possess a dangerous influence, would have been a crime he never could have sufficiently atoned, had injury resulted. He thought it time enough to relax in operations, and ground his arms, when the conclusion of peace should be announced through the proper authorities. Until then, believing imperious duty required it, he resolved to maintain his advantages, and check opposition, at every hazard. To have obeyed the writ would have been idle. He had declared the existence of military authority, and thereby intended to supersede all judicial power. If he had obeyed the mandate, it would have been an acknowledgment of civil supremacy, and a virtual abandonment of the course

he had adopted. It was not an improbable event, that the petitioner would be discharged, on a hearing, because guilty of no offence cognizable by the civil courts. He had not levied war against the country, nor directly aided the enemy; but had done that which was paralyzing exertion, scattering dissension, introducing mutiny, and thinning the ranks of the army. Either judicial interference should have been disregarded, or the arrest was wholly unnecessary. But whether the course pursued were right or wrong, the effect was important and salutary, for good order was restored, and disorganizers forthwith were hushed to silence.

On the 13th of March, an express from the city of Washington arrived at head-quarters, bearing intelligence of the conclusion and ratification of a treaty between Great Britain and the United States, and directing a cessation of hostilities. The information was altogether of defective character, for by some strange fatality, the communication from the government had been interchanged on the road, or at starting, and instead of a despatch declarative of the conclusion of a peace, there was borne to him an order for calling additional troops into service. Enough, however, besides verbal information from the messenger, was received, to satisfy General Jackson, and forthwith, an order was promulgated, announcing the certain return of peace, and revoking the operation of martial law. A similar annunciation was directly thereafter received from his government by General Lambert, commander of the British forces before New Orleans; and on the 19th, military operations by the two armies entirely ceased. The aspect of affairs was now changing; the militia were discharged from service; bustle was subsiding; and joy and tranquillity every where appearing. A proclamation was immediately issued, proclaiming to offenders, pardon and forgiveness for all offences committed.

Judge Hall, being restored to the exercise of those functions, of which he had been lately bereaved, by military arrest, proceeded, without loss of time, to an examination of what had passed, and to become the arbiter of his own wrongs and injuries. Accordingly, on the 21st, he granted a rule of court for General Jackson to appear, and show cause why an attachment for contempt should not be awarded, on the ground that he had refused to obey

a writ issued to him,—detained an original paper belonging to the court, and imprisoned the judge.\*

In this case, there was certainly too much latitude for an improper indulgence of feeling, for the judge, the complaining party, to claim any kind of interference: it would have been more advisable to have appealed to a jury of his country, and thus brought before a dispassionate tribunal, the question of the illegality of his arrest and detention. But, by becoming the prosecutor and arbiter of his own grievances, he placed himself in a situation where reason could have but little agency, calculated to do injustice, and attach to his decision suspicion and censure. It would have been more satisfactory to Jackson, to have met the inquiry before a less partial tribunal; yet, although he was well convinced of its being an extra-judicial proceeding, he did not hesitate to appear, and submit the grounds which he believed ought fully to acquit him of all alleged guilt. The trial by jury was secured, generally, in criminal prosecutions, and in all others, except where the law, from conceived necessity, had explicitly directed a more summary course. Inasmuch, then, as the indignity complained of, and the right to punish for contempt, was not clearly within the provisions of any existing law, but merely a right incidental to judicial power, it was believed the court possessed no jurisdiction of the case,—that it deserved to be classed with general injuries, and inquired into by a jury. Claiming to himself this and other exceptions to the jurisdiction, he met the investigation. He was the more disposed to do so, because the busy politicians of the city had condemned his acts, without seeking for the reasons which had induced them. An opportunity was now presented of developing them fully, and of bringing to the view of his country, the weighty considerations that had influenced his mind, and to which, in a great measure, were to be ascribed the protection and safety the country had experienced.

On the 24th, his appearance being entered, he stood represented at the bar by John Reid, his aid-de-camp, and Messrs. Livingston and Duncan. Major Reid address-

\* The writ had been detained, and a certified copy given, on account of its having been altered by Judge Hall, in a material part. The General's reasons for the detention will be found in his answer, at the end of the volume.

ing himself to the court, remarked, that he appeared with the General's answer, supported by an affidavit, which went to show, that the rule should be discharged, and no further proceeding had. A curious course of judicial proceeding was now witnessed. Cause, why the rule should not be made *absolute*, was to be shown, and yet the judge would determine whether the reasons were exceptionable or not, previously to their being heard. The counsel urged in vain, the propriety of his hearing first, before he decided, if the answer were consonant with propriety. This was over-ruled. He would first determine what it should be. If within any of the rules laid down, it should be heard,—not else.

“If,” remarked the judge, “the party object to the jurisdiction, he shall be heard.”

“If it be a denial of facts; or that the facts charged do not amount to a contempt, he shall be heard.”

“If it be an apology to the court; or an intention to show, that by the constitution and laws of the United States, or in virtue of his military commission, he had a right to act as charged, the court will hear him.”

Hear what it does contain, and you can then decide if it come under any of the general rules laid down, was replied and argued at length by his counsel, as the correct and proper course. The ears of the court however were closed against every thing of argument or reason, and without hearing the defence, the rule was rendered absolute, and the attachment sued out.

The process was made returnable the 31st: and on that day the General appeared. Public feeling was excited; and the crowd, on the tiptoe of expectation, were anxiously waiting to know what punishment the judge would think due to acts which all agreed had mainly contributed to the success of our cause. Jackson, previously apprized of the popular fervor towards him, and solicitous that nothing on his part should be done calculated to give it impulse, practised more than usual caution: and now when it became necessary to appear in public, to ward himself from crimes imputed, he threw off his military costume, and assuming the garb of a citizen, the better to disguise himself, entered alone the hall, where the court was sitting. Undiscovered amidst the concourse which was present, he had nearly reached the bar, when, being perceived, the room instantly rung with the shouts of a

thousand voices. Raising himself on a bench and waiving his hand to procure silence, a pause ensued. He then addressed himself to the crowd; told them of the duty due to the public authorities; for that any impropriety of theirs would be imputed to him, and urged, if they had any regard for him, that they would, on the present occasion, forbear those feelings and expressions of opinion. Silence being restored, the Judge rose from his seat, and remarking, that it was impossible, nor safe, to transact business at such a moment, and under such threatening circumstances, directed the marshal to adjourn the court.

The General immediately interfered, and requested that it might not be done. "There is no danger here; there shall be none—the same arm that protected from outrage this city, against the invaders of the country, will shield and protect this court, or perish in the effort." This declaration had the effect to tranquillize the feelings and apprehensions of the Judge; and the business of the court was proceeded with. It was now demanded of him to answer nineteen interrogatories, drawn up with much labour, and in studied form, which were to determine as to his guilt or innocence. He informed the court he should not be interrogated; that, on a former occasion, he had presented the reasons which had influenced his conduct, without their producing an effect, or being even listened to. "You would not hear my defence, although you were advised it contained nothing improper, and ample reasons why no attachment should be awarded. Under these circumstances, I appear before you, to receive the sentence of the court, having nothing further in my defence to offer.

"Your honour will not understand me as intending any disrespect to the court: but as no opportunity has been afforded me of explaining the reasons and motives by which I was influenced, so it is expected, that censure or reproof will constitute no part of that sentence which you may imagine it your duty to pronounce."

The Judge proceeded to a final discharge of what he conceived due to the offended majesty of the laws, and fined the General a thousand dollars.

The hall in which this business was transacted was greatly crowded, and excitement every where prevailed. No sooner was the judgment of the court pronounced, than again were sent forth shouts of the people. He was

now seized and forcibly hurried from the hall to the streets, amidst reiterated cries of huzza for Jackson, from the immense concourse that surrounded him. They presently met a carriage in which a lady was riding, when, politely taking her from it, the General was made, spite of entreaty, to occupy her place: the horses being removed, the carriage was drawn on, and halted at the coffee-house, into which he was carried, and thither the crowd followed, huzzaing for Jackson, and menacing violently the Judge. Having succeeded in procuring silence, he addressed them with great feeling and earnestness; implored them to run into no excesses; that if they had the least gratitude for his services, or regard for him personally, they could evince it in no way so satisfactorily, as by assenting, as he most freely did, to the decision which had just been pronounced. He conceded that the civil was the paramount and supreme authority of the land, and that he had never pretended to any thing else, or advocated a different doctrine. He had departed from its rules, because they were too feeble for the state of the times. By a resort to martial law, he had succeeded in defending and protecting a country, which, without it, must have been lost; yet under its provisions he had oppressed no one, nor extended the declaration to any other purpose than defence and safety; objects which alone it was intended to effect." "I feel," continued he, "sensible for those marks of personal regard which you have evinced towards me; and with pleasure remember those high efforts of valour and patriotism which so essentially contributed to the defence of the country. If recent events have shown you what fearless valour can effect, it is a no less important truth to learn, that submission to the civil authority is the first duty of a citizen. In the arduous necessity imposed on me, of defending this important and interesting city, imperious circumstances compelled me, either to jeopardize those important interests which were confided to me, or to take upon myself the responsibility of measures which have been termed *high handed*, but which, I thought absolutely essential for defence. Thus situated, I did not hesitate—I could not. I risked all consequences; and you have seen me meet the penalty of my aggression, and bow with submission to the sentence of the law. Had the penalty imposed reached the utmost extent of my ability to meet it, I should not have murmured or complained; nor

now, when it is ended, would I forbear a similar course were the same necessity and circumstances again to recur. If the offence with which I am charged had not been committed, the laws by which I have been punished would not now exist: Sincerely do I rejoice in their maintenance and safety, although the first vindication of their violated supremacy has been evinced in the punishment of myself. The order and decorum manifested by you, amidst various circumstances of strong excitement, merits my warmest acknowledgments. I pray you, permit that moderation to continue. If you have any regard for me, you will not do otherwise than yield respect to the justice of the country, and to the character of its ministers; that feeling and disposition will, I trust, always characterize you; and evince on your part, as firm a disposition to maintain inviolate and unimpaired the laws of the country, as you have recently shown to defend yourself against invasion and threatened outrage." Mr. Davazac, who had acted in the capacity of volunteer aid, being requested to do so by the General, rose, and in the French language, repeated the substance of the remarks previously delivered by Jackson. He urged zealously the maintenance of peace and good order, and thus throughout the crowd was produced tranquillity to excited feeling.

Relieved from this warm display of gratitude and regard towards him, for the exertions he had made in their defence, Jackson retired to his quarters, and giving a check to his aid-de-camp, sent him to discharge the fine imposed, and to terminate his contest with the civil authority. He was greatly consoled at learning, through various respectable channels, that all was tranquil, and that against the Judge nothing of indignity or unkindness was longer thought of.

So riveted was the impression, that the course pursued by the commanding general was correct, and the conduct of Judge Hall more the result of spleen than any thing else, that the citizens of New Orleans determined to ward off the effect of intended injury, by discharging themselves the fine imposed. It was only necessary to be thought of, and it was done. So numerous were the persons, entertaining the same feelings on the subject, that in a short time the entire sum was raised by voluntary contribution. The General understanding what was in agitation, despatched his aid-de-camp to seek the marshal, and thereby



avoided the necessity of refusing a favour, intended to be offered, and which he could not accept. Without, however, any knowledge of his wishes, or consulting him at all on the subject, they proceeded in the arrangement, and by subscription, the entire amount in a short time was raised, and deposited to his use in bank, and notice thereof given. It was not accepted, though refused in a manner the most delicate. In reply, he declared the obligations felt for this renewed evidence of regard; and although he could not accept it, yet as it was the result of the most generous feeling, he solicited that the amount might be applied to the assistance and relief of those whose relatives, during the siege, had fallen in battle. The proposition made was acceded to, and the amount subscribed, and which had been designed expressly for his relief, was disposed of for the benefit of the widow and fatherless.

Those who are disposed to be informed further upon this subject, and to know, if in declaring martial law he acted correctly, or whether, short of the stern and determined course adopted, he could have effected the important ends which were accomplished; and preserved from dishonour, wretchedness and ruin, the country and its inhabitants, can refer to the able and eloquent answer, submitted to the court, and which was refused to be heard. It will be found replete with reasons calculated to satisfy the mind that the course he took was required by every principle of propriety and necessity.\*

To suspend the writ of habeas corpus, belongs to congress, by the constitution. It restricts any interference, except in cases of invasion or insurrection. To say that it is a privilege which must be continued to the citizen until discharged by a law, embracing the particular circumstances of every case that may arise, is to suppose a something that never can happen. An invasion might be made, a thousand miles from the seat of government, or in the recess of congress, when no authority, competent to its suspension, did exist. The Roman maxim, *inter arma silent leges*, had its origin in the necessities of the republic, and must occasionally apply to the condition and circumstances of every country. In all governments there are moments of danger and distress, when, no matter how cautiously protected be the rights of the citizens, those

\* See note F.

rights must be disregarded, not for the purpose of being destroyed, but that they may be more permanently secured. Certainly none but an officer, acting upon an enemy's line, privy to all his intrigues, stratagems, and wiles, can so correctly judge of the emergency, requiring the exercise of such power. He assumes a weighty responsibility; but, with an intelligent world, hazards no more, than to be able to show, that threatening danger, and unavoidable necessity, required him to act. Cases have occurred where the constitution has been violated without reproach. A previous appropriation by congress is required, or monies are forbidden to be drawn from the treasury; and yet this rule has been disregarded when circumstances made it necessary; and sometimes too, violated even when the necessities of the country did not demand it. Few Generals have, in all situations, respected private property: when the country afforded provisions, and their armies were in want, they have wrested them from the owner. Here, it may be said, compensation and atonement can be offered, but none for the violation of personal liberty: this, however, is a distinction without a difference, because both rights are equally sacred, and abstractedly, the infringement of one is no less a constitutional violation than the other. We would have but little cause to applaud the prudence, energy, or good sense of a commanding general, who should suffer distress and want in his camp, mutiny in his army, and ruin to his country, when he possessed the means of preventing them, yet omitted their exercise, because the constitution forbade him to act. Highly as we may appreciate the man, who, when clothed with authority, avoids infringing this sacred shield of our liberty, yet, to hesitate, when surrounded by peril and danger, would deservedly attach to him the censures of the patriotic and the good. Whenever individual rights shall be trampled on, and persons' liberty disregarded and violated, merited reproach will pursue him whose only justification may be, that he possessed the power: but, when founded on necessity,—demanded by the exigency of the moment, and obviously resorted to for the protection and safety of the country, it will be excused, approved, nay, even commended: nor will the act be punished, unless some victim to it should chance to sit in judgment.

Much as has been said of this declaration of martial

law, and greatly as it has been complained of, yet is it difficult to conceive what other course for safety could, with equal effect, have been resorted to. None can seriously entertain a belief, under all the circumstances, that imperious necessity and the situation of the country, did not demand the introduction of some similar, if not precisely such a measure. Although so much has been said and written of this imputed aggression on the rights of the citizen; and, although it has so often been denounced as a high handed act of outrage, yet when the measure itself, and all its incidents are fully examined, nothing of oppression or injustice can be traced. Jackson alone was the sufferer; he suffered by the fine imposed, and by torrents of abuse, which ever since have been lavishly poured upon him. A member of the legislature, who had not merely attempted, but in fact succeeded in exciting mutiny and insubordination in the army, when in the very face of an enemy, and the arrest of the judge, who, by a too officious interference, seemed to stand forth a participant in the offence, constitutes the whole of what took place under the declaration of martial law. Judge Hall was not imprisoned; it was simply an arrest. During the siege, he had absented himself from the city, and gone to Baton Rouge. He had afforded neither by example or advice, any assistance to our cause, while the enemy was present; but had retired on the first appearance of danger, nor returned until it had disappeared. Whether they would reappear, and where, could not be told; and hence, whatever necessity may have induced the declaration, that same necessity imperiously demanded its continuance. On his arrest, he was merely sent to a distance, and placed at liberty under an order containing no other restriction, than that he should not approach the city nearer than twelve miles.

Louaillier, on being arrested, was brought before a court-martial, of which General Gaines was president, charged under the second section of the rules and articles of war, as one "owing allegiance to the United States of America, and found lurking as a spy about the encampment;" for the reason, however, that the inflammatory and mutinous publication which had occasioned his arrest, could not be shown to have been conveyed to the enemy, he was acquitted—the *quo animo* being from this circumstance in the proof not sufficiently apparent. That none

might be uninformed of the law, the following official notice had been circulated through the public journals.

*Head Quarters 7th Military District.*

SECT. 2. And be it further enacted, that in time of war, all persons *not citizens* of, or *owing* allegiance to the United States of America, who shall be found lurking as spies in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death, according to the law and usage of nations, by sentence of a general court-martial.

The city of New Orleans and its environs being under martial law, and the several encampments and fortifications within its limits, it is necessary to give publicity to the above section for the information of all concerned.

By command.

ROBERT BUTLER, *Adjutant-General.*

Conversing with General Jackson, once, concerning the declaration of martial law, he expressed himself after the following manner. "I very well knew the extent of my powers, and that it was far short of that which necessity and my situation required. I determined, therefore, to venture boldly, and pursue a course correspondent to the difficulties that pressed upon me." I had an anxious solicitude to wipe off the stigma cast upon my country by the destruction of the capital. If New Orleans were taken, I well knew that new difficulties would arise, and every effort be made to retain it; and that if regained, blood and treasure would be the sacrifice. My determination, therefore, was formed, not to halt at trifles, but to lose the city only at the boldest sacrifice; and to omit nothing that could assure success. I was well aware that calculating politicians, ignorant of the difficulties that surrounded me, would condemn my course; but this was not material. What became of me, was of no consequence. If disaster did come, I expected not to survive it; but if a successful defence could be made, I felt assured that my country, in the objects attained, would lose sight of, and forget the means that had been employed."

The war being now ended, it was indispensable to hasten the necessary arrangements to relieve from the toils of the field those brave men who had so long been struggling in their country's defence. The necessary measures to

effect this were adopted. The Tennessee, Kentucky, and Mississippi troops had taken their departure. General Gaines being invested with the command, in a few days General Jackson left New Orleans for Nashville. The friendship and good wishes of the people followed him: there were a few, however, who rejoiced at his departure; but they were those, who, in moments of peril, had stood aloof from danger, or sought to increase it; and who, in the censures to be cast upon him, expected to palliate their own misdeeds. They had no unpleasant sensations at being relieved from the presence of one who, they believed was fully acquainted with the abandoned course they had pursued: but the great body of the citizens, mindful of his vigilance, and of the weighty privations he had encountered for their safety and protection, fondly cherished a recollection of what he had done, and felt every gratitude towards him. Previously to breaking up his encampment, he addressed his army, and declared the high sense he entertained of those valiant men, who, with him had toiled in the field, and who, by perseverance and fidelity, had obtained safety for their country, and distinguished honour for themselves.\*

On his return, the respect of all was manifested in his behalf:—all evinced a partiality for the man whose signal achievements had raised his country to a high and dignified standing, and whose unremitting exertions had closed the war with a lustre that enlightened even the cloud of its commencement. He carried with him a consciousness of having discharged his duty; and although, from necessity, he had been compelled to the exercise of a rigid severity, which he would gladly have avoided, yet now, when feeling was lulled, and danger past, he beheld nothing to excite regret or convince him he was wrong. If, however, he could before have doubted, this general manifestation of public regard was sufficient to quiet his apprehensions. The citizens of the United States were yet too virtuous, merely because of his battle achievements, to bestow such unqualified approbation, could they have believed, that, when invested with power, he had wantonly trampled on the rights of individuals, and outraged the sacred principles of the constitution: and yet this approval of his conduct was evinced not only by the

\* See note G.

citizens of the country where he passed, but by congress, and the legislatures of different states—all bore testimony to the propriety of his measures, by the commendations and approvals which were bestowed.

The annunciation of the triumphant defence of New Orleans, was, in every section of the country, hailed with acclamation; in all our cities and principal towns, illuminations and fetes followed; and in all was it agreed, that by none other, than the decided course adopted by Jackson, could so auspicious a result have been attained. The legislatures of many of the states, voted their approbation and thanks for what he had done. The congress of the United States did the same, and directed a gold medal to be presented to him, commemorative of the event. Addresses from numerous societies and meetings of the people were forwarded, expressive of their great regard, and proclaiming him the deliverer and second saviour of the country.

A tedious journey of eight hundred miles brought him to Nashville, where he was gratified with a further evidence of a people's regard. An immense concourse was collected, to greet his return, and welcome his arrival. They had long known him as among the number of their best and most respectable citizens; but curiosity had a new incentive: until now, they had not beheld him as one, who, to protect his country, knew no difficulty too great to be encountered—who, by his firmness and unconquerable perseverance, amidst surrounding dangers, had shielded and saved her from foreign and intestine foes. An address, previously prepared, and delivered at the court-room, in behalf of the citizens, welcomed his return. Relieved from this further display of public confidence, the more grateful, because proceeding from those who were his acquaintances, neighbours, and friends, he retired home, to repair a broken constitution, and to enjoy that repose, to which, for eighteen months, he had been a stranger.

In the person of General Jackson is perceived nothing of the robust or elegant. He is six feet and an inch high, remarkably straight and spare, and weighs not more than a hundred forty-five pounds. His conformation appears to disqualify him for hardship; yet, accustomed to it from early life, few are capable of enduring fatigue to the same extent, or with less injury. His dark blue eyes, with brows arched and slightly projecting, possess a marked

expression; but when, from any cause, excited, they sparkle with peculiar lustre and penetration. In his manners he is pleasing—in his address commanding; while his countenance, marked with firmness and decision, beams with a strength and intelligence that strikes at first sight. In his deportment, there is nothing repulsive. Easy, affable, and familiar, he is open and accessible to all. Influenced by the belief, that merit should constitute the only difference in men, his attention is equally bestowed on honest poverty as on titled consequence. No man, however inconsiderable his standing, ever approached him on business, that he did not patiently listen to his story, and afford him all the information in his power. His moral character is without reproach, and by those who know him most intimately, he is most esteemed. With him benevolence is a prominent virtue. He was never known to pass distress without seeking to assist and to relieve it.

It is imputed to him, that he derives from his birth a temper irritable and hasty, which has had the effect to create enemies, and involve him in disputes. In a world like this, exemption from fault is not to be expected; to a higher destiny is perfection reserved! For purposes wiser than man can conjecture, has it been ordained, that vice and virtue shall exist together in the human breast, tending like the happy blending of light and shade in a picture, to reflect each other in brighter contrast. Some of the foibles and imperfections therefore, which heaven mingles in the composition of man, are to be looked for, and must be found with every one. In Jackson, however, those defects of character exist to an extent limited as with most men; and the world is in error in presuming him under a too high control of feeling and passion. A fixed devotion to those principles which honour sanctions, peculiarly attaches to him, and renders him scrupulously attentive to his promises and engagements of every description. Preserving system in his transactions, his fiscal arrangements are made to correspond with his resources, and hence his every engagement in relation to such subjects, is met with marked punctuality, not for the reason that he is a man of extraordinary wealth, but rather, because he has method, and with a view to his resources, regulates properly his *balance of trade*.

No man has been more misconceived in character. Many on becoming acquainted with him have been heard

to admit the previous opinions which they had entertained, and to admit how great had been their mistake. Rough in appearance—positive and overbearing in his manner, are what all upon a first introduction expect to find; and yet none are possessed of milder manners, or of more conciliating address. The public situations in which he has been placed, and the circumstances which surrounded him, are doubtless the cause that those opinions have become so prevalent; but they are opinions which an acquaintance with him tends speedily to remove. The difficulties and embarrassments under which he laboured at New Orleans, were such as might well have perplexed, and thrown the mind aside from every thing of mildness. Arms and ammunition were wanted; the country was in an unprepared and defenceless situation: whatever could be done was to be decided on promptly, and executed speedily. Mutiny, through designing men was introduced, and disaffection stalked about. Night or day there was no respite from duties of the most important and responsible kind; and yet, under all these circumstances, embarrassing as they were, the evidence of temper and impropriety charged by his enemies, to use their own language, is, that he turned the legislature out of doors, and arrested and detained one of its members, with the judge who interposed for his relief.\*

If it be true, that his principles and sentiments on some subjects, be at variance with those practised upon, and deemed correct by others, it is the effect of education, and of early impressions upon his mind, by which a particular bent has been produced. Speaking once of his mother, he observed, "one of the last injunctions given me by her, was never to institute a suit for assault and battery, or for defamation; never to wound the feelings of others, nor suffer my own to be outraged; these were her words of admonition to me; I remember them well, and have never failed to respect them; my settled course through life has been, to bear them in mind, and never to insult or wantonly to assail the feelings of any one; and yet many conceive me to be a most ferocious animal, insensible to moral duty, and regardless of the laws both of God and man."

Controlled by a rule so golden, as always to respect the

\* See the circumstances of this transaction and refutation of the charge, at page 210.



feelings of others, mankind would doubtless seldom err; and seldom would disputes and differences in society arise. It is a misfortune, however, incident to the very nature of man, occasionally to be under the influence of excitement; and then error of conclusion may be the consequence. Wise is the man, peculiarly blest, and greatly to be envied, who, in every situation, before he acts, can deliberately think, and correctly determine. It was this received impression respecting General Jackson, which, on his entering the army, induced many to fear he would prove too rash for a safe commander; that occasions might arise, when he would suffer his judgment to be estranged, through an improper exercise of feeling. Events early proved the fallacy of the conjecture, and showed that there were none who reasoned more dispassionately on the fitness and propriety of measures,—none more cautious where caution was necessary, or more adventurous, when daring efforts were required. Few Generals had ever to seek for order, amidst a higher state of confusion, or obtained success through more pressing difficulties. The effects he produced, under circumstances gloomy and inauspicious—now through his eloquence and persuasion, and again by his firmness, portrays a character for decision, and a mind intimate and familiar with human nature. That the hireling soldier, prodigal of life, because his sovereign orders it, should entertain respect for his commander, is too commonly the case to excite surprise: of such materials, General Jackson's army was not composed; they were freemen,—citizens; yet, with the exception of those who abandoned him in his first advance against the Indians, there was scarcely one in his ranks, officer or soldier, that was not particularly and warmly attached to him; ready to serve him under any and all circumstances. The best evidence of private worth, is to be derived from those who know us most intimately,—from our acquaintances and neighbours, those who see and know us, stripped of that concealment which surrounds character when surveyed at a distance. Tested by this rule, General Jackson stands well, for by those who know him most intimately he is most esteemed.

Light and trifling pleasantries often mark character as distinctly as things of consequence. General Jackson one day during the siege of New Orleans, was approached by a subordinate officer of the militia, who stated his desire

to leave the service, and return home; for that he was made *game of*, and was called by the company Pewter Foot. He manifested great concern, and an anxious desire to be relieved from his unpleasant situation. The General, with much apparent sympathy for him, replied, that he had ascertained there was a practice in the camp of giving nicknames: and had understood that very many had dared to call him *Old Hickory*: now, said he, if you prefer mine, I am willing to exchange; if not, remain contented, and perform your duty faithfully, and as soon as we can get clear of those troublesome British, our wrongs shall be inquired into, and the authors punished: for then, and not till then, shall we have an end of those insults. The effect was happy, and induced the complaining officer to retire, perfectly satisfied to learn, that his grievance would be united with the General's, and both presently effectually be redressed.

General Jackson possesses ambition, but it rests on virtue; an ambition, which, regulated by a high sense of honourable feeling, leads him to desire "that applause which follows good actions—not that which is run after." No man is more ready to hear and to respect the opinions of others; and none where much is at stake, and at conflict with his own, less disposed to be under their influence. He has never been known to call a council of war, whose decisions, when made, should shield him from responsibility or censure. His council of war, if doubting himself, was a few officers in whom he fully confided, whose advice was regarded, if their reasons were conclusive; but these not being satisfactory, he at once adopted and pursued the course suggested by his own mind.

Much as we may delight to range through the field of battle, in quest of acts, to fix a hero's character, yet in considerable circumstances oftentimes mark it more distinctly; it is then that the mind, retiring from every thing like motive, gives a loose to impulse, and acts from feeling. The General, who meets and repels his country's foes, is not unfrequently impelled by ambition, and the recollection that a nation's gratitude may succeed his efforts: but when, amidst the battle's carnage, he is seen acting as a christian, and sympathizing in others' woes, his character is marked by virtue, and more truly ennobled. At Tohopeka, an infant was found, pressed to the bosom of its lifeless mother. This circumstance being

communicated to General Jackson, he became interested for the child, directed it to be brought to him, and sought to prevail on some of the Indian women to take care of and rear it. They signified their unwillingness to do so, stating that, inasmuch as all its relations had fallen in battle, they thought it best, and would prefer, it should be killed. The General, after this disclosure, determined he would not entrust it with them, but would become himself the protector and guardian of the child. Bestowing on the infant the name of Lincoier, he adopted it into his family, and has ever since manifested the liveliest zeal towards it, prompted by benevolence, and because, perhaps, its fate bore a strong resemblance to his own, who, in early life, and from the ravages of war, was left in the world, forlorn and wretched, without friends to assist, or near relations to direct him on his course.

Of the two great parties, which have distracted our country, General Jackson is attached to the republican. In his first political career, he rallied on the side of the people. During Mr. Adams' administration, when the party was few and inconsiderable, he appeared on the side of the rights of man, espousing and advocating the principles of tolerance and free will; until disgusted with the mode of administering the government, he retired from the legislative councils of the nation. He is not, however, one of those blind infatuated partizans, who holds the opinion of others in derision, and determines on the good or bad qualities of a man, according as he belongs to this or the other political sect; but influenced by higher and nobler sentiments, acts on the liberal principle, that

"Honour and shame from no condition rise,  
Act well your part, there all the honour lies—  
Worth makes the man, and want of it the fellow."

Could such sentiments be generally diffused, of what importance would they not prove to our country! We are aware of the opinion entertained by many wise politicians, that parties, by acting as spies on, and correctors of, each other's conduct, more effectually ensure a nation's safety. Such an idea may answer in a country where individuals' rights are merged in the exaltation of a few, and where the contest is for the loaves and fishes, and not in relation to

honest differences of opinion; but in ours, whose government is derived from the people, and where law is, or should be, the paramount rule, so long as we may continue virtuous and intelligent, and duly appreciate our rights, no such auxiliary can be essential, either for happiness or tranquillity. Already have we witnessed innumerable evils to spring from the acerbity and intemperance of party: but for the hopes and expectations of a designing power, which through our dissensions and domestic broils, believed she would be able seriously to affect us, we might have remained at peace, and preserved the lives of many a valuable citizen.

That there should be a contrariety of opinion among us, is certainly nothing remarkable: it is only in governments absolutely despotic, that the oppressed and trembling subject imbibes the sentiments of the sovereign and his ministers, and appears to think with them, for the reason that he dare not assert his own opinions. Our constitution, on this subject, bars every check, and leaves our conduct, words, and actions, free; yet, were our prudence consulted and regarded, it would long since have told us, that party rancour was carried too far, for our own, and the honour of our country. We are far, however, from assenting to what is often urged, that it is a circumstance whence foreign powers will be ever able to derive an advantage, by which materially to endanger our rights. Although we may differ, as to the best mode of administering the government, a circumstance which happens to all countries in proportion as liberty is enjoyed; and although, as has been the case, party may be pressed beyond the bounds where reason or prudence should give sanction, yet against the invaders of our rights, our union will prove strong, and all parties be the same. Should the period ever arrive, when our nation shall be vitally assailed, it will be perceived that all advantages calculated to arise from our jarrings are delusive; that then there will be but one party, all rallied in defence of a country believed by them to be the freest and happiest in the world, resolved to swim or sink together. It is very true, that the history of the late war presents some melancholy facts, at variance with this opinion; but such has been the odium and just indignation of the country towards its actors, that any future recurrence of such acts should not be anticipated. Involved in war, every citizen of the country is bound in

some form or other, to yield assistance, and steadily to maintain it; and that man, or combination of men, who, in such a time of peril, shall stand opposed to the constituted authorities, in any other manner than the constitution authorizes, should be considered the enemy, or at least, not the friend of the country.

The proclamations disseminated by Great Britain during the war, to the people of the United States, were an insult to our understandings, and a reflection on her own. The divisions she saw prevailing among us, were, no doubt, the inducement. If ever there was a time, when she could have even partially effected the disorganization she so industriously endeavoured to foment, and reached us through our differences, it was before she had, by an unusual, unpractised system of warfare, destroyed all confidence, and excited our just indignation against her; and before she had aided to subvert the liberty of France, and plunge her in a state of absolute vassalage. When such an example, with all its wretched and fatal consequences, is held up to view, well should a warning voice teach nations to spurn every external interference, however plausibly it may be offered.

The principles of our government are at opposition with war—those of her citizens no less so. If, amidst the general confusion of the world, we were forced into a struggle, let it be remembered, it was for the preservation of our rights, and to resist aggressions which had become too numerous and grievous to be longer borne. With nations, as with individuals, a submission to insult serves but to authorize a repetition; and forbearance under injuries is frequently construed into an inability to redress them. We boast not of any thing acquired by our contest. Conquest and power were not the inducements to its commencement: what was sought, has been attained. We have evinced a determination not to submit to repeated wrongs, and secured from other nations that respect which our peaceful habits had forfeited. We have brought more closely into view our strength, and our resources; and shown our enemies, that however we may be solicitous for peace, and opposed to war, there is a point where even patience ceases to be a virtue, and where it may become exhausted. But, above all, our contest has had the effect of drawing closer the cords of our union, quieting party opposition, and allaying discontents. In future,

therefore, when vauntingly told we have gained nothing by the war, laying aside all minor considerations, we will point to our union, which it has more strongly and indissolubly cemented, as a matter of greater importance than any thing that has happened, since the all-glorious hour when our Independence was declared:—we will point to the deeds performed by our naval and military chieftains.

“ They have toiled, and in their country's cause,  
Bled nobly; and their deeds as they deserve  
Receive proud recompense. We give in charge,  
Their names, to the sweet lyre. The historic muse,  
Proud of her treasure, marches with it down  
To latest times; and sculpture in her turn  
Gives bond, in stone, and ever during brass,  
To guard them, and immortalize her trust.”

# BRIEF CONTINUATION OF **THE LIFE OF JACKSON.**

## SEMINOLE WAR.

AT the close of the war, General Jackson's desire was to retire from the army, that he might retrieve a constitution impaired by the arduous service in which he had so constantly been engaged. The disasters of the conflict, through which the country had passed, revived a recollection of that wholesome ancient rule, that to avoid war, a nation should be prepared for it. At its commencement, our frontier and coast exhibited an almost guardless front, without protection, either to the commerce of the country, or to the country itself. With a view to better security, and to place in proper attitudes, the essential defences, that might be considered material, Mr. Madison expressed a desire that General Jackson would yet continue in the army; he consented reluctantly to do so, determining, the interest of the country considered, to avail himself of the earliest opportunity to leave the service, and again retire into private life.

In March 1817, Mr. Monroe, between whom and General Jackson, strong friendship existed, and who recently were more closely cemented, from the circumstance that they had acted together during the arduous struggle which had just passed, became chief magistrate of the United States. He was desirous, and expressed to the General a wish that he should become a member of his cabinet, and at large, solicited his opinion as to the persons who should compose it. The advice asked was freely given, but the proffered situation to the cabinet declined. Their correspondence on the subject, altogether private and confident, for particular reasons already known, was

drawn before the public in 1824. It proved not only curious, but interesting, as well in reference to men as measures; Mr. Monroe insisting, that a portion of the federalists in the early history of the country, were monarchical in their precepts, and General Jackson maintaining that those of them who had stepped forth during the war, to maintain the country by their acts, or to fight her battles, deserved to be considered in the light of friends and patriots; but that those fireside patriots, who brawled in favour of liberty, without ever making an effort to sustain her cause, no matter by what name they were called, deserved to be distrusted. Subsequent to this, the appointment of minister to Mexico, was with the unanimous consent of the senate, tendered to Jackson; this he also declined, for the reason stated by himself, that he would not by his presence at the court of the Emperor Iturbide, contribute to the countenance and support of one, whom he looked to as the usurper of his country's rights and liberty.

Actively engaged during this period, in general superintendence of the frontiers—in selecting suitable positions for defence, and negotiating, under orders of the government, arrangements and treaties with different Indian tribes, for the general purpose of security and safety, he was again in the winter of 1817, called upon for active enterprise, and again required to take the field.

The termination of the Creek war, a contest in which that nation had been greatly divided, found many of the hostile party, who though subdued and conquered, were yet unwilling to abide the provisions of the treaty concluded at Fort Jackson, in August, 1814. Repugnant to its stipulations, and to its provisions, to which they were not parties, they had betaken themselves into the territory of Spain, (Florida) where with the Seminole tribe, they remained without the limits of their own nation, and the jurisdiction of the United States, harmless, though dissatisfied, and anxiously disposed to mischief and war. Secret and sudden inroads upon our frontier, and occasionally, the murdering of an inhabitant along the southern line of Georgia, were practised, until, from a want of notice and adequate opposition, bolder confidence in themselves, and in their prowess, was inspired.

At length, General Jackson was directed to take the field, and an order from the department of war, containing full, ample and general powers, was issued. In it was



no restriction, no limitation; he was commanded to advance against, and punish the enemy, for the wanton, unprovoked offences they had practised; and to bring the war to a speedy termination. The cruelties of these Indians were of marked and vengeful character: beneath their murderous propensity, women, and even children, had fallen, after the most savage and brutal manner. The provincial authorities of Spain had not interposed to prevent or restrain their cruelties, but within the limits of Florida, uninterruptedly, had suffered English traders, now, as formerly, to minister to their propensities, and to excite them to rapine and murder.

During the war, a number of negroes, fugitives from the southern states, had taken refuge in Florida; and at its termination, through the aid of Nicholls and Woodbine, were left in possession of a strong and well supplied fort on the Apalachicola river. The discontent and resentment of the Indians had been aroused through information pressed upon them, by these, and other British agents, that in the concluded treaty of peace between the United States and Great Britain, stipulations were contained for a surrender of their lands, as they had remained anterior to the war. The fort thus established by these emissaries, had, in 1816, by an American vessel, been destroyed, and the negroes dispersed, who there had been protected and supplied; but the discontent seen among the savages, was yet kept alive, which in the end resulted in open rupture. Arbuthnot and Ambrister, two subjects of Great Britain, were the excitors and instigators of the disturbances that arose. Either from inclination to encourage, or inability to prevent them, the Spanish authorities in Florida gave no attention to the excitement produced within the province, by the subjects of another power; and open assault, in its most angry forms, was presently the consequence of that inattention. Emboldened by persuasions extended, and trusting to the security afforded, under cover of a neutral territory, they ventured upon the execution of their murderous and daring deeds. In addition to numerous outrages which had been practised, a public boat ascending the Apalachicola river, was assailed, and its crew inhumanly butchered. Seven women who were along, shared the fate of their massacred husbands, brothers and friends: even the little children on board found nothing of pity or mercy; but taken by the

heels, were beaten and bruised to death against the sides of the captured boat. To the perpetrators of such deeds of outrage and horror, what was there of mercy due? but little, certainly, and less indeed to any civilized man, who had excited them to so foul a perpetration. Forbearance, kindly offerings, and entreaty for their pacification, had by the government been resorted to, in vain: trusting to the fancied security afforded from their position in a neutral territory, they readily believed all inroads and outrages on our borders would find protection, under the ideal line, separating the territory of Spain from the United States.

An additional circumstance to inspirit them in the belief they entertained, was, what already their own observation had disclosed, that General Gaines had not ventured beyond the line separating Florida from the United States: that, although an imaginary boundary was looked to now, as affording in their favour protection and safety, while beyond it, at pleasure, their own inroads and incursions, might uninterruptedly be prosecuted. With entertained impressions like these, it was idle to expect any benefit to result from the operations of our army. So General Gaines considered, and so he found it to be. Acting under orders, which from courtesy to the authorities of Spain, forbade him to pass beyond the limits of his own country, he could but fold his arms, and hear of aggressions and murders, which in consequence of his limited and restricted powers, were beyond his ability to control and punish. Of all this the government was apprized; forbearance had abided long enough, and justice, and even mercy, forbade its further indulgent exercise.

At this moment, and under these circumstances, the known decision and efficiency of Jackson was looked to, and he was forthwith commanded to the field. Whether the restriction imposed on General Gaines to forbear an advance beyond the limits of the Spanish territory, was found *inutile*, or that the discretion of Jackson, under all the apprehended circumstances of responsibility and difficulty, was conceived essentially to be relied on, does not appear material to inquiry: at any rate, the limited and restricted orders issued to the one, constituted no part of the command directed to the other. Jackson, with a seeming *carte blanche* from the department of war, was required to proceed against the Seminole tribe of Indians—punish them for the wrongs they had committed, and

bring the war to a speedy termination. Authority was at the same time extended, to call out such portions of the militia as might be considered necessary to the contemplated objects of the campaign.

The promptitude with which demands upon the patriotism of the state of Tennessee had been met, induced a belief that the objectionable and tardy process by draft, need not be resorted to: accordingly, with consent of the governor, an appeal was made to the citizens, and volunteers solicited to appear. A general order was issued, and directly the required number came forth, when arranging and appointing their officers, they were presently in a situation to march to whatever point they might be ordered. Solicitous to have every thing ready for immediate operation, the General in advance, hastened to the southern borders of Georgia, leaving the troops thus collected, to be moved rapidly to Fort Hawkins, by Colonel Hayne, the inspector general. Owing to the scarcity of provisions and forage along the intended route, a circuitous course became necessary, which delayed greatly their arrival. Solicitous not to waste time unnecessarily, the General, with the remnant of regular troops, commanded by Colonel King, and nine hundred Georgia militia, determined to advance upon the enemy, and endeavour speedily to conclude the war. Supplies were scarce, and with difficulty to be had; he was, however, one of those generals, who, for a course like this, never yet had stayed active operations. The swamps and wilds of Florida were before him, and little of subsistence was to be procured from the wandering, plundering savages that were there. Taking such partial subsistence as the post at Fort Scott afforded, consisting of only three days' rations of meat, and a quart of Indian corn to each soldier, the 9th of March he took up the line of advance, on a calculation, that by pressing through Florida, he might fall in with those provisions, which the quarter master, Colonel Gibson, had assured him, would, on the 12th of February, depart from New Orleans. With this very limited and scanty allowance, the army proceeded, and subsisted until the 13th, when a provision boat being met with, afforded partial relief.—“In my march from Fort Early to Fort Scott,” remarked the General, “I subsisted my troops on ground peas, corn, and some pork, that I could occasionally procure of the Indians, with some that I had on foot:

the whole subsistence for man and horse, not costing five hundred dollars."

On his line of march, he was united with by some of the Creek warriors, under General M'Intosh, and a detachment of the Tennessee troops, commanded by Colonel Elliot; and on the same day, (1st of April,) attacked one of their principal towns, Mickasuckee, where, under cover of a deep and impenetrable morass, were embodied a considerable party of the enemy. A spirited resistance with our advanced guards, was for some time kept up, but coming presently in contact with the main army, the Indians precipitately gave way, and betook themselves for safety to the morass, where pursuit was impracticable. Thus, their only embodied force met with, being encountered and dispersed, and the town destroyed, the army advanced upon St. Marks, whither, as was understood, the enemy had retreated, and whence also it was understood, munitions of war, and supplies by the enemy, had repeatedly been obtained.

Here were found evidences of that murderous spirit, which had impelled forward those ignorant and misguided wretches:—Proceeding under their own savage impulses, and encouraged by the persuasions of those, who being civilized and better informed, should have proven much more merciful counsellors, they ventured on acts open and violent, inconsiderate and cruel. In the village thus destroyed, were found the freshly torn off scalps of our murdered citizens, placed for the purpose of being dried on a red pole, the symbolic type of war: more than three hundred scalps, the bloody badges of triumph and victory, and savage distinction, were ascertained at different places in the nation, of all sizes and ages, the proud trophies of a causelessly waged contest, excited by the more civilized, and persevered in from a confidence reposed, that their positions in a neutral territory, would give protection and safety. It was thus the Indians had been encouraged, and lured along, and their angry feelings kept alive, without regard, from their instigators, to the consequences that might ensue: our forbearance served but to produce greater confidence to them, their abettors and advisers. Dispersed and routed at Mickasuckee, they fled into the swamps, and towards the Spanish parts of St. Marks and Pensacola, and thither they were immediately pursued.

It was idle to expect, after the language of the order issued, that a speedy termination could be given to the war, if when driven from their fastnesses, and strong positions in the wilderness of Florida, the Indians could find a safe retreat under the guns of a Spanish fortress, and thereby confidence be produced, and the means of recommencing active operations afforded. The presence of an army, under such circumstances, might partially operate on the fears of such an enemy, but by no means could have a tendency to subdue them. Influenced by these considerations, the determination was taken to move in "fresh pursuit," and to treat as hostile those places which should succour their retreat, and those too where it could be ascertained, means of prosecuting the war had been afforded. A communication was forwarded by General Jackson to the commandant of the Spanish post of St. Marks, disclosing fully the inducement which had prompted him to the course he was about to take. Rather than harass and wear down his army in pursuing the enemy through the swamps and forests of Florida, it seemed preferable to strike at once at those strong holds, on which he well knew their reliance must be, and would be, for buoyancy to their hopes; and for obtaining the means necessary to a prosecution of their designs. Understanding, on a near approach to St. Marks, that the Indians and fugitive negroes had demanded of the commandant (Luengo) a surrender of the fort, Jackson brought to his consideration the wrongs and injuries they had practised towards the United States,—their lawless and wanton course, and the great number of scalps he had ascertained, in the towns through which he had passed. "I have," said he, "discovered in the council houses of Kenhagee, [king of the nation] more than fifty fresh scalps, suspended on a pole, of all ages, from the infant to the aged matron: in addition to these, upwards of three hundred scalps were found in the dwellings of the different chiefs, settled on the Mickasuckee pond. I am also informed, that the hostile Indians and negroes obtained their supplies of ammunition from St. Marks."

The commandant, however, was at the same time told, that in the approach thus made to his fort, it was not in character of an enemy to Spain; but as a friend, to protect Florida in maintaining that neutrality, which, from position and inability she could not of herself secure: that

every thing should be taken in inventory, and accounted for fully; but that a surrender of the post must be made, inasmuch, as without it, peace and security could not be attained. The fort was surrendered, and garrisoned by our troops. Facts here ascertained, present the conduct of the commandant of St Marks, in a point of view highly exceptionable. Here the Indians had been received kindly, and protection afforded them; it was a mart for many of their plundered goods: indeed, a contract was shown to have been made, for supplying a certain quantity of cattle, which it was understood at the time, were to be procured from the confines of Georgia, and which, being actually thence clandestinely obtained, were subsequently delivered at the post. Arms and ammunition had there been furnished; while there too, some of the clothing of those who had perished in the assault and massacre of lieutenant Scott and his party, were discovered to have been sold. This course and policy of the Spaniards, had proceeded, as they alleged, from apprehension and fears of the Indians, and the feeble condition of the garrison. General Jackson, apart from any intention to war against the Spanish authorities of Florida, urged in justification of his course, that their admitted inability and weakness was the entire cause of his proceeding—to deprive the mutual enemy of the United States and Spain of the means of conveyance; and that every thing should be again surrendered when a force adequate to defence, and the maintenance of authority, should appear.

The army proceeded from this point, east to Suwannee river, about eighty miles, dispersing and intimidating the enemy: it thence returned, and by the way of Fort Gadsden, advanced upon Pensacola, distant from St. Marks nearly two hundred miles to the west, where it was understood protection and safety was also afforded the Indians. That they had here been favourably received, was clearly ascertained, while from the position and strength of the place, the same extenuating causes which had been urged by the commandant of St. Marks, could not be admitted: the conclusion therefore was more readily arrived at, that this proffered extenuation was mere pretence, and that a disposition to aid, rather than an inability to defend, was in fact the moving, governing consideration. From this place protection had been given. The passing

of our provision vessels, through the waters of Florida, coming in aid of the army, had been objected to, while an angry menace from the governor, warning against the advance of the American troops within his jurisdiction, and threatening to oppose force with force, had been very formally presented. Pursuing his original design, derived through the order under which he acted, of putting a speedy termination to the war, and convinced, that while the important posts of St. Marks and Pensacola were retained, subject to Spanish authority, such a result was not to be effected, General Jackson, from considerations of prudence and safety, determined to occupy both positions, that by cutting off those subsidiary and relief points, the chances of assistance and encouragement to the Indians might be effectually removed.

The peaceable surrender of Fort Barancas was denied, and measures taken to resist the approach of our army, by Masat, who at that time was governor of Pensacola. The neutrality of the place had been heretofore, in 1814, disregarded by the British, when Jackson, on his own responsibility, advanced against, and reduced it: his character for decision and energy was still recollected in Florida. The governor, of course, could not be a stranger to the determined enterprise of him who was once more approaching his capital. Intimidated by appearances, he left the town, and sought protection and defence within the fort. Our troops, on the 25th of May, being placed before it, a summons to surrender issued: it was refused. Preparations were now made on both sides, the one to defend, and the other to press forward. Defences were thrown up; scaling ladders prepared to advance over the wall, and martial preparations sternly manifested. At daylight, on the morning of the 27th, a battery clothed with one small field piece, within three hundred and eighty yards of the fort, was presented. Firing commenced: a parley ensued, and the garrison was required to surrender, and further resistance urged as unnecessary and useless. This morning, a Spanish non-commissioned officer, found loitering around, was taken and brought a prisoner to our line. Seemingly, as by accident, a view was afforded him of every arrangement, and of the scaling ladders, which were ready and prepared. The General informed him, if the place was not delivered before the dawn of day, he

would enter it, when if resistance were kept up, he was determined to put every soul to the bayonet: in the afternoon he was dismissed on his parole, but pretending an apprehension that he might communicate to the governor and commandant of the fort his preparation and determination, the General stated to him, he could not be discharged, except to go to Pensacola, not Barancas; accordingly, a guard was sent to accompany him thither, distant about 14 miles. "I very well knew," remarked the General, "that he would be deceived; my wish was for him to give information of every thing he had seen; and as the distance to Fort Barancas by water across the bay, was but seven miles, I was satisfied, on reaching town, he would hasten to communicate all the information he had received." He was watched, and found to do exactly as had been expected; the consequence of which was, that very evening, a flag proceeded to the American camp, an armistice was concluded, and early the next morning a surrender was made. With this, and the fortress of St. Marks, added to Fort Gadsden, which had previously been established on the Apalachicola, it was believed, positions enough, and strength sufficient would be required, to hold the savages in check, and future outrages be avoided. The General now concluded to return his army home, and to discharge it from further service. The Georgia troops, under General Glascock, had previous to this time, (20th of April,) been relieved from the campaign, and retired home, there to be mustered from service. Since the conclusion of the assault on Pensacola, General Jackson has been heard to remark, that he had not intended to scale the walls, and thus attempt by force to carry the fort:—"My object," said he, "was to alarm, fully calculating, that in this way, possession would be obtained. The enterprise was hazardous; and although I should have carried it, yet many of my men must have fallen: in this view, the object to be attained, was not at all worthy the risk; besides, it would have been rather too bold a measure, as against a neutral power. The preparation I had made—the battery erected, and scaling ladders prepared, were alone intended for effect, and to intimidate; had they failed, I should have withdrawn my army, and relied for preservation of peace with the Indians, on St. Marks and Fort Gadsden, posts already occupied."



## ARBUTHNOT AND AMBRISTER.

At the capture and destruction of one of the Indian villages, (Bowlecks) a British lieutenant of marines, Ambrister, was taken prisoner: subsequently, at St. Marks, another subject of Great Britain, Arbuthnot, acting and associating with the Indians, was also taken. Shortly afterwards, a court of inquiry, of which Major General Gaines being president, was by order of the commanding General, convened, when the one was decreed to be shot, and the other to be hanged. In the case of Ambrister, after the proceedings and finding of the court had closed, a reconsideration was applied for, and obtained; when instead of being subjected to death, he was decreed if not to as severe, yet to a more humiliating punishment—"to receive fifty stripes on his bare back, and to be confined to a ball and chain to hard labour, for twelve months." Such was the decree of the court. This latter sentence being by the General rejected, and the first approved, it was shortly afterwards carried into execution. Arbuthnot was also executed. It is to the interference of others, rather than the Indians, that we are indebted for the massacres and cruelties practised on our citizens. During our late war, Nicholls and Woodbine, English adventurers, through their practised arts, and assistance promised, caused dissatisfaction and discontent with our Indians. Departing from the country, they left them in possession of a strong defence (Negro Fort) with assurances of support whenever it might be needed: in the mean time, these two adventurers, doomed to death, were, in the absence of Nicholls and Woodbine, sent to the country to associate with savages, keep bright their enmity, and to be engaged in the same ministry of blood and mischief in which they themselves had so lately been employed. Not a council was held, a letter written, or an act done, preparatory to war, or to encourage its prosecution, that they were not the grand directors and agents. Arms and ammunition were applied for! The provincial governors of Britain were addressed; and the chief, Hillishadjo, lately returned from a visit to England, was pledged as authority, that the Prince Regent, through him, had ordered their applications to be attended to, and supplies furnished, when he should require them. Letters to this effect were addressed by Ambrister to Governor Cameron of the Bahamas, and the most urgent importu-

nity, pressed for the application speedily to be met. Two letters written in March, breathe the same earnest entreaty, confessing in both, that he had already sent a party of Indians to oppose the advance of the American troops. Arbuthnot, too, his coadjutor, was alike concerned, in arousing the slumbering spirits of the natives, and inciting them to acts of savage cruelty, of bloodshed and war.

The policy pursued by General Jackson, in advancing upon Florida—occupying posts in the territory of a neutral power, and especially for executing those two English subjects, have proved matters for repeated animadversion and remark. Foes have censured, friends have approved. In 1818-19, congress undertook its investigation. Before the Senate, where an illiberal and incorrect report from a committee was made, no discussion was had, or decision pronounced; for although the subject was taken up at a very early period, nothing was heard from the examining committee until very nearly the close of the session, when no opportunity was presented for examination and discussion: the entire proceeding carried with it, on the part of the chairman, the impress of management and design. But in the House of Representatives, where, for three weeks, the discussion with great ability progressed; a final exculpatory decision was had; and the course pursued throughout by the General, received the approval and sanction of that body. Learning, research and elocution, were displayed on the occasion; while strong excitement pervaded the country at an attempt thus made to tarnish the reputation of one of her best and greatest benefactors. Directly after this decision, and notwithstanding it had been pronounced, the chairman of the committee in the Senate, came forth with his gleanings, censuring, reproving and condemning, under most assumed facts, every thing to which the representative branch of the government had extended a most unqualified approval. The end and object was, to preserve public opinion in doubtful suspense. Pending this discussion, and when variant and contrarious opinions had been advanced, and the whole matter argued at length, a distinguished and respectable member from Pennsylvania, Mr. Baldwin, remarked in progress of the debate, that even in the wilderness of Florida, apart from any access to books, General Jackson appeared better to understand national laws and its principles, than members who were,

in reach of the library, and afforded every facility to inquiry. The result proved the observation correct; for after three weeks' assiduous controversy and examination—after that Puffendorff, Vattel, and a host of international authors had been resorted to, and consulted, although individual differences in opinion prevailed, any concentration of opinion as to a single imputed error, could not be agreed upon. The course the General had pursued was approved and sanctioned throughout, by every vote which was taken.

The Creek war being over, many of the chiefs and warriors fled into Florida from their own country, rejecting the conditions of the treaty concluded at Fort Jackson, and refusing its terms. Francis Hillishadjo, one of Tecumseh's commissioned prophets, was of the number: he had exerted all his influence to keep alive the discontents of the Indians. Homathlemico, another chief, proved himself an equally active and zealous agent: he had acted as a chief and associate of the clan, which had destroyed Lieutenant Scott and his party. The former having passed over to England, came back with a thorough understanding of the construction and force which was to be given to the treaty of Ghent—that by it, the United States were bound, and would be compelled to re-surrender the Creek country, as it had remained in the year 1811; besides this poisonous infection, Hillishadjo, when in England, received the commission of a brigadier general, the better to add to his consequence, and to give effect to his councils, with an assurance, that ammunition whenever wanted should be furnished. Representing the interest of Woodbine and Nicholls, in their absence, Arbuthnot and Ambrister were actively engaged in keeping alive a spirit of enmity and discontent, and hostility on the part of the Indians. This distinguished British brigadier, and his coadjutor chief, being made prisoners, were also executed.

The jealousy of Arbuthnot and Ambrister towards two citizens resident in Florida, Hambly and Doyle, had been excited. It was conceived, intelligence had been afforded by them to the Americans of passing events, while it was openly charged, that the destruction of the negro fort, established by Nicholls, had been effected through information which they had afforded of its position and strength. Operated upon by these suspicions, and a belief of their warm attachment to the United States, a party of Indians were despatched for the purpose, and they were seized on their own farms,

be chastised in the persons of those of them who may be taken; they are of the number of the guilty, and by this rigour the attempt may be made of bringing them to a sense of the laws of humanity.' And again: 'As the General has the right of sacrificing the lives of his enemies to his own safety, or that of his people, if he has to contend with an inhuman enemy, often guilty of such excesses, he may take the lives of some of his prisoners, and treat them as his own people have been treated.' The justification of these principles is found in their salutary efficacy for terror, and for example.

"It is thus only that the barbarities of Indians can be successfully encountered. It is thus only that the worse than Indian barbarities of the European impostors, pretending authority from their governments, but always disavowed, can be punished and arrested. From the period of our established independence to this day, all the Indian wars with which we have been afflicted, have been distinctly traceable to the instigation of English traders or agents. Always disavowed, yet always felt; more than once detected, but never before punished; two of them, offenders of the deepest dye, have fallen, *flagrante delicto*, into the hands of an American general, and the punishment inflicted upon them has fixed them on high as an example, awful in its exhibition, but we trust auspicious in its results, of that which awaits unauthorized pretenders of European agency, to stimulate and interpose in wars between the United States and the Indians within their control."

These executions afforded the happiest themes for fanciful and enlarged declamation, and consequently, most strongly have attracted public attention. Reason then, as now, maintained her ground, and insisted, that Spain, so far from having any well established cause for complaint, should have been required to hold her own officers liable for the outrages and murders committed within her jurisdiction, and for the violation of subsisting treaties between the United States and herself. Those offenders suffered deservedly: congress so pronounced, and the country approved. Great Britain, ever prompt and ready in protecting and defending the rights of her subjects, came not forth, in any form whatever, to inquire wherefore had they suffered. She could not but know, and did know, that by abjuring their native land, and uniting in destiny with a murderous and savage race, they became identified in the

association, and were without the pale of national rule. Acting with savages, they were to be considered as such. "A ferocious nation," says Vattel, "which observes no rules, and grants no quarter, may be chastised in the persons of those of them who may be taken." Civilized associates, contending with, and fighting by their side, or impelling them forward, are alike to be considered within the rule: nay, they stand in a more criminal point of view; because, with education and refined habits on their side, they become infinitely more criminal and culpable, for being connected with a cruel and bloody enemy, who respects no age, and spares no sex. The proofs evidenced on the trial, disclose the fact, that these men were the aiders, abettors and counsellors of the Indians, procuring supplies, and applying for means of protection against the American government; while at the same time they were encouraged to a belief, that the United States would be constrained to restore their lands, agreeably to the provisions of the Ghent treaty. A course of conduct like this, had roused their vengeful feelings into action, and produced the massacres that have been committed, wherein no difference was made between the contending soldier, the female, and the helpless child; all were made to perish together.

This campaign consisted rather in rapidity of movement, and hardships encountered, than of battles fought and won. The name of Jackson, from the previous conflicts in which he had been engaged, had produced upon the minds of the Indians, a timidity, which drove them to the swamps, avoiding any other contests than occasional skirmishing, brought on under such circumstances as to position, that they could return at pleasure, and find refuge in the numerous morasses of their country. The service was arduous in the extreme; besides the limited supplies already spoken of, which subjected our troops to suffering, the country was flat, and, from continual rains, covered with water. For eighteen days, our officers, and the army, including the General, who, to every extent encountered the same fatigue with his soldiers, were without even the comfort which dry clothes afford. Swamps interposing, and which constantly were to be waded, denied this comfort; yet, notwithstanding, during the whole campaign, from battle and from sickness combined, the loss of the army did not exceed half a dozen persons.

This Seminole war with the Indians gave rise in the Uni-

ted States, to some questions, which previously were altogether new, and unacted upon in this country. Florida was the province of Spain: By treaty stipulations, that power was bound to hold in check, and preserve at peace the tribes of Indians within the limits of her jurisdiction; but her provincial agents had declared their inability to effect this object, while the savages, confiding in security from the position they occupied, within the confines of a neutral territory, conceived from the admonitions of the more designing, that inroads on the frontiers of the United States, might, at any time, with impunity, be made. The circumstance of General Gaines not attempting to advance into their country, for the length of time he had commanded along the frontiers of Georgia, produced from the reason, that he was inhibited to do so by positive orders from the war department, tended greatly to confirm them in opinion, that their locality of position afforded the most ample security. When General Jackson came into the field, with an unconditional order to put a speedy termination to the war; and when apart from that restraint of the department, which so effectually had restricted the operations of General Gaines, he determined forthwith to carry the war into the enemies' country, nor leave them longer reposing in the belief, that an ideal imaginary line could afford protection against their causeless and unprovoked outrages. He dreamed not that Vattel's doctrine of "fresh pursuit," which, with civilized nations, seemed necessary to justify an entrance upon the territory of a neutral power, could be made applicable to the condition of savages, who were not parties to the law, and who *per force* claimed the mastery of the invaded territory. Whatever effect such doctrine might be entitled to, between refined nations, controlled by established laws, it did not occur to him as being applicable between a civilized and savage enemy, inhabiting too a country, whose sovereign, by treaty, was bound to preserve the relations of peace, and whose agents had acknowledged an utter inability to do so. The entire inapplicability of international law, as derived from European constructions, in reference to such a case, contains a sufficient answer to all the refinements and subtleties to be adduced from such irrelative sources. An army of ten thousand men would scarcely have power sufficient to form a cordon of protecting posts, along a line stretching through a wilderness, for more than three hundred miles. Either

then the sanctity attached by some to that line should have been disregarded; or the inhabitants left to the mercy of the savages, apart from any attempted interference and protection from the government.

By these energetic and bold acts, good order was reinstated, the enemy subdued, and peace restored, through the intimidation produced: in the language of the command, issued from the war department, "a speedy termination was given to the war, and the enemy punished for their unprovoked cruelties." General Jackson now returned home, having, in about sixty days, not merely put an end to the war, but altogether removed the means of again reviving it.

Notwithstanding the strong defence of the course pursued, made by the secretary of state, Mr. Adams, to our minister at Madrid, Spain complained. The arguments replied to her were, your provinces were incompetent to resistance, and a maintenance of your treaty engagements; you could not preserve your Indians at peace. To aid in the execution of that stipulation, and not to make war, was the purpose of marching an army into Florida, and garrisoning the forts of the country. But to afford an evidence of the amicable and good feelings still entertained, St. Marks and Pensacola were re-delivered, while Fort Gadsden, on the Apalachicola, within the jurisdiction of Spain, was retained by our government, that every hold on the awed submission of the savages, might not be yielded. If the consideration of sovereignty, and respect to it, constituted the inducement for not retaining possession of St. Marks and Pensacola, it is rendered matter of surprise, why the retention of Fort Gadsden, was not equally to be considered an infringement of that sovereignty. There rests upon it but this shade of difference, that this latter post was erected by General Jackson, the others not; it is difficult to perceive, how that circumstance could make any very material difference, on the principles of comity and right between nations: while, however, the other two posts were delivered back to the authorities of Spain, Fort Gadsden was retained: thus the *amende honorable* being made, the matter terminated. The circumstances and incidents of this campaign, discovering to his Catholic Majesty, that his provinces of Florida were altogether insecure, most likely induced a determination to part with both the soil and the sovereignty; and in the following year, by a new treaty entered into by the two governments,

the United States obtained possession of both East and West Florida, for a stipulated sum, to be disbursed amongst her own citizens, for violations committed by Spain on the commerce of the United States.

**COURT OF INQUIRY—CHANGE OF AMBRISTER'S SENTENCE—  
AND CONDUCT OF CAPTAIN WRIGHT.**

THE execution of these two Englishmen, whose fate, so frequently, has been actually or pretendedly deplored, proceeded from the existence of facts, ascertained by a respectable court organized for that purpose, especially and alone. It has frequent and oft been made a ground of exception and charge, that the sentence pronounced against Ambrister, was improperly altered by the commanding general, who caused to be inflicted a different one from that which was ordered. This distinction is necessary to be borne in mind—a distinction that exists, and which is necessary to a proper understanding of the matter. Ambrister, it will be recollected, was, in the first place, condemned to be shot; a reconsideration having been proposed and agreed to, the subsequent decree was, that he should "receive fifty stripes on his bare back, and be confined with a ball and chain, at hard labour, for twelve months." General Jackson's inversion of this sentence, and decreeing him to death, to one of honourable feeling, would certainly be preferable. The coward heart, that would cleave to life under any and all circumstances, might perhaps prefer to survive even under the disgrace of the first; but the soldier of any feeling would not fail to choose death in preference, and conceive himself abundantly a gainer. But apart from this consideration, the court was without power to ordain a sentence or award a judgment; and it was on this ground Jackson proceeded, when taking the course he did. The authority conferred on this organized tribunal, consisting of men of capacity, judgment, and proper feelings, was simply that of inquiry—to ascertain facts—the circumstances and extent of the guilt—and not an assessment of the required retribution of that guilt.\*

\* The court of inquiry consisted of the following persons:

Major General E. P. Gaines, *President.*

Colonel William King, 4th Infantry.

Lieutenant Colonel Lindsay, Corps of Artillery.

Major Muhlenburg, 4th Infantry.



There is a wide, a material difference, between a court of inquiry and a court martial; the one merely ascertains facts, and records them, to aid the judgment of some superior, who, upon the details presented, is to make an application of the law, and adjudge and award its penalty; the other holds control both of facts and law, and having ascertained the one, the other imposes its own decree, so far as penalty is concerned. Courts martial and their powers are merely and altogether creatures of the law; when, therefore, our troops proceeded beyond the limits of the United States, our laws, to be sure, went with them, and were still in force, operative as to them, but as it affected others, not connected with us, but acting in character of enemies, they could have no effect, no operation. Arbuthnot and Ambrister being in a country, foreign as to us, could not be amenable to our rules, ordinances, and regulations; and of course, were beyond the interference of a court martial, which apart from our own laws, could have no jurisdiction whatever. Their offences and their crimes could not be known to any thing of municipal, but alone to the law of nations, and were liable to be judged and punished by none other than the commanding general, in whom only the government was represented. Why, then, was a court organized at all? The answer is plain and obvious; to record the facts, the circumstances and the testimony, to be laid before the government he represented, that in the event complaints should be made, it might appear to be a case properly and justly decided. When, therefore, the court had recorded all the facts, their duty was discharged: the law gave them no further power, and they could rightfully execute nothing beyond it; and it was right and proper in the General, their decree not according with his opinion, to set it aside, and act upon his own judgment of the case. A jury in this country are judges of law and fact; so also is a court martial

Major Montgomery, 7th Infantry.  
 Major Fanning, Corps of Artillery.  
 Captain Vashon, 7th Infantry.  
 Colonel Williamson, Tennessee volunteers.  
 Lieutenant Colonel Gibson, do. do.  
 Colonel Dyer, do. do.  
 Lieutenant Colonel Elliott, do. do.  
 Major Minton, Georgia militia.  
 Captain Crittenden, Kentucky volunteers.

possessed of similar rights; but a court of inquiry differs from both; it can do no more than examine into facts, and record them; for there all authority terminates.

The very phraseology of the order creating this court, shows the extent of its powers, and is in conformity to settled usage. The official order is in these words: "The following detail will compose a special court, to convene at this post, [St. Marks] for the purpose of investigating charges exhibited against A. Arbuthnot, and Robert Christy Ambrister. The court will record all the documents and testimony in the cases, and their *opinion* as to the guilt or innocence of the prisoners, and what punishment, if any, should be inflicted." The phraseology of an order creating a court martial, is entirely different: its commands are, that a *general*, *garrison*, or *regimental* court martial, (as the case may be) shall convene for the trial of, &c. It is styled by its own particular name, and leaves no room for question as to its powers. When convened, it has all the rights and authority of a court and jury, to ascertain facts, apply the law, and award sentences correspondent to the crime committed. But it is only for the infraction of such laws as the congress of the United States have specially enacted, that such a court can exercise jurisdiction; for in relation to all offences known only to the code of nations, it can claim no jurisdiction whatever: in such cases the commanding general, representing the sovereignty, must himself act. He may, to be sure, call on others to aid him in the ascertainment of facts; and may ask an *opinion* as to the quantum of punishment proper and right to be imposed; yet it being a jurisdiction exclusively his own, he could not delegate its exercise to others, even were he disposed to do so. In our revolution, a court of inquiry, by order of General Washington, sat in the case of Major Andre, who was tried and executed as a spy. Even without the intervention of a court, the General could have decreed his death, because his offence arose not under any municipal regulation of ours, but from the usages of war, and the laws of nations.

General Washington submitted this matter to the decision of a board of officers, for the facts to be considered of and recorded. The authority conferred, was to determine upon the nature of the offence imputed against the prisoner, and the kind and description of the punishment due to the offence with which he stood charged. The court,

upon mature deliberation, pronounced him a spy, and that he ought to be punished with death—and it was so done; not in virtue of this proffered suggestion and opinion of the board, but by the commanding general, in whose hands abided a power to decree execution. What Washington did, in the case of Andre, with a view to caution, and that the world, the facts being accurately preferred, might correctly judge, the same did Jackson towards the less distinguished, but no less guilty Arbuthnot and Ambrister. The proceedings in both those just and merited tragedies, are of similar import and character. Not fancy can draw a line of difference between them, save that in the case of Andre, the opinion of the court and the commanding General being in perfect accord, both obtained execution; whereas, in the other, Jackson's, whose decision and judgment being different, though paramount to the court, became the executed opinion. Neither of the parties offending had violated any law of ours: in fact, the latter being within a foreign territory, were hence beyond the legal jurisdictional limits of the United States. A court martial, then, whose powers of acting exclusively pertain to infractions of our own enacted laws, could, in these cases, have effected nothing: the authority to punish rested alone in the commanding general; yet in justification and from caution, he constituted this court, with no other view, and for no other purpose, than to examine and record the facts; this being done, all authority on the part of the court ceased.

After General Jackson had passed the frontiers of Georgia, and penetrated the Indian country, an unfortunate circumstance arose, which led to a warm and feeling correspondence with the Governor of that state, (Rabun.) Passing through an Indian town, Cheraw, the warriors of the village, headed by Howard, their aged chief, came forth to meet the General, avowed a desire for peace; and as evidence of their earnestness and sincerity, proffered to join and march with the army. Their services were not wanted, but fearing, if rejected, they might become restless and mischievous, they were received. To the old men, and to the women, who were left behind, protection and safety were promised. Shortly after, Captain Wright, under an order from Governor Rabun, at the head of a militia force of two hundred and seventy men, detached from Fort Early, advanced upon this village, and there cruelly assailed, and put to death, its inhabitants. Their

chief, the aged Howard, was shot down, while bearing in his hand a white flag: his grandson shared the same fate. In two hours after the attack commenced, the town was in flames, and the whole "laid completely desolate." General Jackson had passed Fort Gadsden, on his march from St. Marks to Pensacola, where by express, a letter reached him from General Glascock of the Georgia militia, detailing the particulars of this melancholy transaction. At the instant, under the impulse of a high and generous feeling, and indignant at what he conceived a wanton, unnecessary and unprovoked act, towards those who had confided in his assurances, and sent forth with him their warriors to battle, he addressed himself to Governor Rabun, and a warm and spirited correspondence resulted. The Governor was told that he had outraged every thing of law and right; that nothing of invasion or insurrection existed, of consequence he had no authority to order a force into the field, and to commit ravages in his rear, where all was peace and quietness. Captain Davis was immediately ordered to proceed to Hartford, arrest Wright, and deliver him to the officer in command at Fort Hawkins, until the pleasure of the president could be known; or if not found there, to call upon the Governor of Georgia, to have the order carried into effect. Davis succeeded, and having arrested him, proceeded on his journey towards Fort Hawkins, when at a small town, through which he was passing, the civil authority interposed, and the prisoner, on a habeas corpus, was released. Subsequently, on the 29th of May, by orders from the executive of Georgia, he was again arrested; but so far from taking any precautionary step to retain, and subject him to trial, for the wrongs he had committed, he was simply placed on his *parole of honour*, under a promise to surrender himself when he should be required to do so. In the mean time, the President directed him to be placed in possession of the civil authority for trial; intelligence of which reaching Captain Wright, on the 27th of July he fled, and has not since been seen in the United States. He retired to the island of Cuba, an exile from his country.

#### GOVERNOR OF FLORIDA, AND EVENTS THERE.

SPAIN and the United States, early in 1819, concluded a

treaty, by the provisions of which, their boundary of separation, west of the Mississippi river, was agreed on, and both the Floridas, East and West, ceded to the United States. A ratification between the two governments did not take place until February, 1821, nor did the ceded territory, until the summer of that year, come under the jurisdiction of the United States. By the President and Senate, General Jackson was appointed in the double capacity of Commissioner to receive, and Governor to organize and manage the affairs of the country, with powers granted by congress, more enlarged and more extensive, than under the provisions of our constitution, had ever been granted to any one before. Either through want of time to enact enlarged and defined rules in detail, or of the confidence reposed, congress conceded powers so unrestricted, as to render it questionable whether they did not even step beyond the range of all constitutional sanction and propriety. In one sweeping clause, apart from all restriction, the entire and unlimited power which the Governor-general of Cuba could exercise, constituted the legislative enactment of congress. It was in reference to this circumstance, previously to resigning the government of Florida, a situation which he held only about seven months, when the General expressed a wish that powers so unlimited and so undefined, might under a republican government, never again be confided into the hands of any man; that they were dangerous to liberty, and should be given to no one. In virtue of this high behest, an authority to exercise whatever power the Governor-general of Cuba could, he might, to say nothing of minor matters, have conceded and granted away every foot of the soil, while the rights and privileges of the citizens rested, and were dependant, on his mere will and pleasure. Under this undefined, uncertain grant of power, his authority was executive, legislative and judicial, apart from all restraint, save that which himself might prescribe to himself. Under this *carte blanche*, the earliest act of his administration was to place the judiciary of the territory on some certain basis, both as to the authority it might exercise, and the manner after which it could be done, with a view to an amicable and speedy adjustment of all subsisting differences amongst the people.

Acts of oppression and injustice long exercised over the subjects of Spain within this province, now when the government was changed, began to be developed, and some

of them brought before the consideration of the Governor, in his judicial capacity. A subject of Spain in Florida, (Vidal) had some years since, as far back as 1807, died, leaving children, to whom estates of considerable value had been devised. Fruitless and frequent attempts to procure an adjustment of his affairs had been made; and although repeated decrees could be traced, none of them had ever been carried into effect. The government changed, and the province transferred, the claim of these heirs was brought before the newly constituted authorities, for examination and decision, when the records necessary to a full and complete understanding of the case were wanted. A most important and material paper, the testament of the father, to ascertain the rights of his children, did not appear, and to procure it became a matter of the first necessity.

Preparatory to decision, an affidavit was filed by the Alcade, alledging the original will to be in the hands of a certain Spaniard, (Sousa) at Pensacola; a rule was granted for him to produce it; but instead of complying with the demand, it was carried over to the steward of Colonel Callava, the former Governor of Florida, by whom it was directly placed amongst the Governor's papers. Being now by the showing of the original possession, and by the steward, traced to the occupancy of Colonel Callava, under whose protection, and in whose custody, the persons in adverse interest conceived it would be inviolate, a rule was had, to show cause why an attachment should not be sued out against the Colonel, in whose possession it was. He was required to produce the paper, that the rights of these children might be ascertained. Compliance was positively refused, and an entire inability to determine the judicial question was thus presented. Conciliatory measures were resorted to, but without any beneficial result. By a stipulation contained in the treaty concluded between the United States and Spain, the public archives were to be surrendered; and if this will of Vidal, on which depended the rights of property in his children, and which should have been entered on the public records, did not merit to be classed under this head, it is difficult to conceive what was indeed intended by the inserted clause of the treaty concluded between the two governments.

The belief entertained by Callava was, that under the garb of privilege, and his late office, his papers, and more

especially his person, would be altogether sacred—not to be interfered with. He had been too long governor, exempted from any thing of control, to be able to forget his now altered condition, and bring his mind to the conclusion, that any authority could disturb the privileged dignity which he conceived rightfully attached to his situation. General Jackson, at his office, for two hours, endeavoured to impress on his mind the propriety and necessity of the records being delivered, suggesting to him that a refusal could be viewed in no other light than a contempt of his authority. It failed of success—Callava refused, insisting, that “being a commissioner, he was privileged, and therefore answerable to no one.” This reasoning, and supposed privilege, was lost upon Jackson. It was enough for him, that the required paper was in his hands, and that upon it depended the rights of others. Although Governor Callava had been charged with the delivery of the territory of Florida, now that the trust had been executed, and new forms and a new government established, he could no longer be considered a diplomatic functionary, surrounded with privileges, but as the citizen of a foreign country, and liable and subject to all the judicial applications of our own. Under the mandate of the court he refused to deliver the will. Lenient and persuasive measures were resorted to, but without effect: he would not deliver them; when, for the contempt thus offered to the authority of the court, Jackson, sitting as judge, directed an attachment to be issued, and Callava, in pursuance of the mandate, was arrested. That the will might not be secreted, or made away with, which was clearly ascertained to be in his possession, a guard, consisting of a corporal and three men, was placed at his door, with orders to permit nothing to pass from the house, or any thing to be interrupted; in the mean time, three commissioners, with the Alcade, were appointed to examine the public boxes, and particularly that in which the paper wanted by the court was said to be deposited. The examination being made, it was found and delivered over to the court, and thereupon Callava was discharged from his arrest and imprisonment. It is difficult to conceive what could have induced this obstinate and perverse course: that something of motive and interest was the inducing cause, may, when all the attendant circumstances are considered, be well conjectured. The will being obtained, and a final hearing of the matter had, a

decree was pronounced in favour of Vidal's heirs. Without it, they must and would have been deprived of the estate intended to be devised to them by their ancestor. They were children, whose rights had been long withheld; they were at length restored to their possessions, alone by the energetic course pursued by Jackson; mild and lenient measures could not have secured the end and object desired, and which justice required to be extended.

To this pursued course, many without an accurate knowledge of the circumstances, have been opposed, and the act decried through the country as contrary to that courtesy which was due to a diplomatic functionary. The defence to this suggestion is, what Jackson himself has urged. He was not an accredited diplomatic character. It is true, Colonel Callava, a military officer, had, by the Governor-general of Cuba, been appointed a commissioner to deliver over the country to the United States. The stipulations of the treaty were, that in six months, or earlier, from the ratification, the officers and soldiers of Spain should be withdrawn from the territory of Florida, and possession given of all occupied places. The moment, then, that the duties assigned him to perform, were executed, his official character was merged; while continuing beyond the period stipulated in the treaty for his departure, he was to be considered amenable to the laws, to the extent that any other foreign citizen or subject would be. Jackson, accordingly, refused to consider him entitled to the personal rights, privileges and courtesies of a minister, especially when by doing so, it necessarily placed at hazard the interest and rights of unprotected orphan children. Considering Callava entitled to none of those privileges pertaining to foreign ministers or agents, he compelled forcibly a surrender of the papers, and having obtained them, directly ordered his discharge from arrest. General Jackson, in a communication made to the secretary of state, details the particulars of this transaction, and employs the following language: "I could not view Colonel Callava in any other light than that of a private individual, charged with violating the rights of others, and setting my authority at defiance. I did believe, and ever will believe, that just laws can make no distinction of privilege between the rich and the poor: and that when men of high standing attempt to trample on the rights of the weak, they are the fittest objects for example and pe-



nishment. In general, the great can protect themselves; but the poor and humble require the arm and the shield of the law. Colonel Callava's powers having closed here with the surrender of the country, it was only a display, and so considered by me, of pompous arrogance, in his claiming the privileges of diplomacy, which in fact he never possessed; and his powers having ceased, his commission accomplished, the pretension which he set up was an insult to the weakest understanding. There are other and many complaints by Spanish subjects here of documents relating to private property being missing from the Alcade's office. If proof is had, where they are, demands will be made; and I hope the precedent set, will prevent the necessity of again exercising those painful measures to coerce their production. But should such occur, I shall not shrink from my duty, however painful it may be to my feelings to exercise such authority for the security of those individuals, who, under the treaty, look to our government for the protection of their rights."

Incensed at what was conceived an outrage on their chief and former governor, on the 22d of September, the Spanish officers remaining at Pensacola, issued an angry and insulting bulletin to the public, impugning and arraigning the proceedings of the court, and the conduct of the Judge. In consequence of this act of impropriety to the judicial department, and because being officers of Spain, they should by the treaty have withdrawn themselves from the country in six months, which limitation had already expired, Jackson issued an official order, ordering and commanding them to depart from the territory by the 3rd of October. Gwing nothing of allegiance to the country, and concerned not for its harmony or good government, but disposed to disturb it, he conceived it proper for them to depart, especially, as by the provisions of the treaty, it was imposed on them as a duty to do so. At the appointed day they took their departure from the country. Subsequently, however, and after that General Jackson had left Florida for Tennessee, and indeed resigned his commission of Governor, some of those officers, in defiance of the proclamation, yet unrevoked, returned to Pensacola from Cuba. Mr. Walton, of Georgia, the acting secretary, who had been left in discharge of the executive duties, immediately had them arrested, or rather issued an order, restricting them to their houses, and requiring

them not to appear at large in the city, until the Governor's opinion, who was then in Tennessee, or that of the President, could be ascertained. In the mean time, Jackson had resigned his office, while from Washington city, through the Secretary of State, an order was returned, to liberate those officers from their qualified arrest. Here the matter ended. General Jackson retired a private citizen to his own residence near Nashville, and the government of the territory, now organized, was confided to Mr. Duval of Kentucky, with powers regulated and restricted by the congress which convened in the following winter, 1822.

Colonel Callava, highly displeased at the treatment he had received from Governor Jackson, left Pensacola, and proceeded immediately to the city of Washington. Nothing certainly is known as to the design of his visit to our capital, though the inference readily arises that his object was, through Vives, the resident minister of Spain, to make known his complaints and his grievances. What course was pursued, remains amongst the executive secrets of the times: nothing upon that subject has yet been disclosed. At any rate, if the object of his visit to the city was to obtain redress for conceived indignities, failure was the consequence. That such was his object is rendered probable, apart from any positive information on the subject, by the tenor of the President's communication to congress, which shortly afterwards convened. The language of the message relative to the archives to be surrendered by the treaty, and for a violation of which, the rupture between Jackson and Callava was produced, is this: "Possession of East and West Florida has been given to the United States; but the officers charged with that service, have not only omitted, in contravention of the orders of their Sovereign, the performance of the express stipulation, to deliver over the archives and documents relating to the property and sovereignty of these provinces, all of which, it was expected would have been delivered, either before or when the troops were withdrawn, but defeated since, every effort of the United States to obtain them." This opinion of the President seems to be in exact conformity to that which Jackson entertained and practised upon. Callava was evidently wrong, and acted entirely from a mistaken belief as to his rights. Being an official character for the mere purpose of delivering over the country, his imagination had conjured to him that he had authority to carry off

at his mere pleasure, any and every record upon which depended the rights and property of others, and that no authority adequate to its prevention existed. The common sense doctrines of Jackson's mind told him differently, and that over and above other persons he had no privilege superior to the treaty and the law; and of consequence he compelled him to do what a sense of right, and his own notions of justice ought to have dictated to him as correct and proper.

Such is a brief sketch of the proceedings of General Jackson in Florida, which have been reprobated by some from an honest conviction that his measures were too decided and strong: and by others, either from a proneness to censure him in all things, or that they were ignorant of all the attendant facts and circumstances. One thing may be said of him with greater truth than any other now living, that whatever objections may have been raised at any time as to the manner of working to his results, even his enemies have always conceded that the end he had in view was honest, and his motives ever pure and correct. If to any of his public acts, error has at any time been attributed, the admission both from friends and foes ever has been, that his intentions were good, and his way through the paths that justice pointed. Such justification is ample acquittal. Than this no better defence can be offered against the constant frailties and imperfections to which human nature is every where subjected.

Besides the extensive and unlimited authority confided by congress to Jackson as Governor of Florida, a salary of five thousand dollars was attached to the office. Whether, therefore, power or pecuniary advantage was looked to, the situation could not but prove a desirable one. He was entirely supreme. No legislation had taken place in reference to what he should do, or what omit. The revenue and slave laws had by act of congress alone been extended to the territory, none other: even the constitution of the United States, and all the rights which it secures, was wholly inoperative, because by no legislative exercise of authority had its provisions been extended thither: to Jackson, and to his discretion, every thing, civil and military, had been confided; and yet, with all these high privileges and powers, with the exception of Judge Fromentin, no complaint was made against his government, save what arose from enforcing justice against the former

governor, Callava, who would have relied upon the supposed dignity and elevation of his character to inflict wrong and injury on a parcel of unprotected orphans. It was during the examination of this case of Vidal's heirs, and after that so fierce and unpleasant a struggle for securing the records of their rights had taken place, that Governor Jackson, sitting in his judicial character, declared the regret he felt at being clothed with authority so unlimited and undefined, and so inconsistent with every thing of republican usage and propriety. Notwithstanding the extensive powers thus conferred, in the possession of which, as is averred by those opposed to him, he so much delights, no sooner was the government of Florida properly organized, and placed upon a secure basis, than he retired from it to his own farm: than this, "ambition should be made of sterner stuff." To a little mind, proud of brief authority, here was a field presented where it might have wantoned and revelled to the extent of ambition's desire: superior to such matters, Jackson's disposition and judgment roused, and led him to prefer his own quiet and independent habitation.

Besides the cases adverted to, one other arose by which some slight, though momentary excitement, was occasioned. Mr. Fromentin, a creole Frenchman, and lately a senator from Louisiana, was appointed by the president a judge in Florida. It is questionable whether he should have been placed there. The constitution declares "that a member of congress shall not be eligible to an office which may be created, or the emoluments of which may be increased during the time for which he was elected; the object of this inhibitory provision, doubtless was, to preserve the purity of the body, and to guard the members from every thing of inducement for the sale of office. Mr. Fromentin was a member of the United States senate, before whom the treaty came, and by whose vote it was ratified. To be appointed to any office arising under the known operation of that treaty when ratified, if not within the letter, was certainly within the spirit and meaning of the inhibitions of the constitution. He was, however, appointed a judge of the territory. When Callava, for the causes before shown, was committed for his conduct, this gentleman, claiming in virtue of his judicial trust, to be superior to the governor, who had all the powers of the captain general of Cuba, issued a writ of habeas cor:

put, commanding the prisoner to be brought before him, that the judgment of his *superior* might be inquired into, and set aside.

Mr. Fromentin on reaching Florida, to enter on a discharge of his duties, sought an interview with General Jackson, to determine as to the extent of the authority he could claim under his commission. The information given, and the conclusion arrived at, was, that as the legislation of congress had neither extended the provisions of the constitution nor of any of the laws, to Florida, save those which appertained to the revenue, and to the importation of slaves, in his character of judge he could assert the exercise of no other authority; and so the matter seemed to be agreed and understood. When under this understanding, and these circumstances, he undertook to call, by writ of habeas corpus, before him, one committed for contempt by the highest tribunal known to the laws, it was calculated to excite surprise. The officer charged with the execution of the order relative to Callava, before acting upon the writ which was issued, almost correspondently with the commitment, carried it to Governor Jackson, to inquire and ascertain the course he should pursue. He was directed to disregard it, and he did so. Judge Fromentin was immediately cited to appear before the Governor. He pleaded in reply, indisposition—an attack of rheumatism. The next day he came. He was now informed again of the conceived extent of his powers, as before they had been explained, and that he must keep within their pale, nor venture beyond them. This positive course was pursued by Jackson, because he well knew that the extent of Mr. Fromentin's authority had previously been a subject of conversation and understanding, and because from the impetration of the writ so speedily after the arrest, the obstinacy of Callava, and other circumstances disclosed, he presumed the whole matter of contest had previously been agreed on, and concerted. The judge apologised for his conduct, and was discharged; but conceiving this exercised authority a high indignity to himself and to his office, shortly afterwards published some angry letters, complaining in most intemperate language, of the conduct practised by the governor towards him. That Jackson, possessed of unrestrained and unlimited power, should question his brief authority, and, under the existing circumstances of this particular

case, place it at naught, was conceived by Mr. Fromentin, a high exercise of tyranny, and an outrage of judicial countenance. Because he held the commission of judge, the conclusion was arrived at, that he carried with him to the territory the constitution of the United States, and each and every of their statutes; although those relating to the revenue, and to the importation of slaves, had alone been extended.

The 6th of October, being on the eve of departing from Florida for Tennessee, General Jackson, through the public journals at Pensacola, addressed himself to the people of the territory, explaining to them the reasons and the motives under which he had acted. He referred to the collision in which he had been placed with Colonel Callava, late governor of Florida, and satisfactorily, though concisely explained, the nature and origin of the contest. Adverting to this, which he declared an unpleasant circumstance, he employed this language:

"The American government, at the same time that it is the freest, is perhaps the strongest in the world; because the most wealthy and most powerful in society are as weak in opposition to it as the most humble and obscure; it knows no distinction between an ex-governor and a peasant. In the course of my short administration, one case has unfortunately occurred, which required the exertion of that authority, which is no respecter of persons. That the necessity should have existed, has occasioned me pain and regret. It was my duty, under the treaty, exercising the government of the Floridas, to secure to the inhabitants all the evidences of their right of property. The improper conduct of the captain general at Havana, in withholding documents of this nature from an agent sent expressly to receive them, increased the necessity of vigilance on my part, that the inhabitants might be secured in their rights of property. Whatever diplomatic privileges he (Callava) might have been entitled to, these had ceased upon the surrender of the territory, and he was then not known to me, or recognised as having any other rights than those of a common individual. It was not enough for him to consider himself a public agent of the king of Spain, and to reside here for the purpose of transacting official business with the agents of the United States, but it was necessary he should have made known the object and purpose of his stay; had he done so, he

would have been informed at once by me, that my own functions had ceased as commissioner, and that no one but the president of the United States had any power to give him permission to remain as a diplomatic agent, enjoying the privileges of a foreign minister."

In the same publication, he submitted to the consideration of the public in justification of the measures he had adopted, the reasons which had induced him to proceed towards the Spanish officers after the manner he had, in requiring and directing those at Pensacola to depart the territory within four days. At this produced disturbance with Callava and his officers, Jackson expresses his regret, though great satisfaction that no other cases had arisen to interrupt the harmony of the government; but, that the measure was imposed upon him, as necessary and essential to the maintenance of respect to the judicial character of the country. "This respect," he remarked, "is due from foreign officers in all countries; for what tends to bring the judiciary into disrepute, shakes the public confidence in that part of the government that is looked upon as the most sacred depository of individual rights. Had I consulted my personal feelings, having entertained a favourable opinion of some of them, and enmity to none, I should have been disposed to have suffered the act to sink into oblivion; but the dignity and honour of the government forbade that conduct so outrageous, should pass unnoticed. I might appeal to those very persons, to ask, what would be the consequence if a band of American officers should offer such an insult to the government of a Spanish province."

General Jackson, on accepting the appointment of governor of Florida, did so with an avowal, that he would consent to retain it only until the government of the territory could be placed under a system of proper organization; this being effected, he retired from the bustle of office, and again sought upon his farm retirement and ease. Shortly after this, the United States having recognised the independence of the South American states, a solicitude was felt by Mr. Monroe to place Jackson in the character of minister, with full powers, representing the interest of this country at the republic of Mexico. This, however, he refused to accept: the reason presented by him was, that the Emperor Iturbide, having usurped the liberty of his country, he, as the republican minister of a republican

country, by his presence could not yield a sanction to that usurpation, and thus afford to him encouragement in the career he was pursuing. The history and the events of that period prove his forebodings to have been correct; for very shortly afterwards, the people of Mexico, wearied with the actual or conceived strides at power of Iturbide, deposed him from office, and banished him from the country: again returning to it in disguise, in opposition to the edict that had been promulgated, he was sentenced to death, and executed: thus perished a man, who, at the onset of his career, had filled every where the friends of freedom and reform with brilliant hope and expectation.

But the repeated demands of his state upon him to office were yet not satisfied, and again was proffered a desire that he would consent to accept a seat in the senate of the United States. A letter on this subject was despatched to his residence, containing an assurance that the legislature desired his services, and expressing a wish that he would consent to serve. The answer returned to this application was, that he greatly desired retirement from the fatigues and cares of office: that there were others, who from age would be better than himself calculated to meet the distance and fatigues of the journey; yet, if under full consideration, the members insisted on his services, he knew not how to refuse, and could not. "It might be thought," said he, "and would be said, that the appointment had been conferred by his state, and sought for by him, with a view to other objects and for other purposes, at present pending before the nation. I have, therefore, (continues he,) earnestly to request of my friends, not to press me to an acceptance of the appointment of senator: if appointed, I could not decline: and yet in accepting I should do great violence to my feelings and my wishes." In two or three days afterwards, the legislature proceeded to an election, and Jackson was chosen. In December, 1823, he took his seat, and during that and the succeeding session continued faithfully and industriously to execute the duties of his station. In the autumn of 1824, the legislature of Tennessee being again in session, he gave back into their hands the appointment they had conferred, when Hugh L. White was chosen to fill the vacancy. The assigned reason for doing this was, that placed before the American people for the office of President, having been again nominated, he could not consent



to retain a situation, where his every act might be ascribed to personal and selfish considerations. Accordingly, he once more retired to private life, remaining on his own farm, and attending exclusively to his own affairs. With the exception of a visit recently made to New Orleans, through an invitation from the legislature of Louisiana to celebrate the glorious victory of the 8th, he has never ventured abroad, notwithstanding the pressing solicitations that have been extended. The inducing cause with him to this course, and perhaps with some of the great men of the country it may appear peculiar, and exclusively pertaining to himself, is, that the office of President of the United States when intrigued after, or electioneered for, stands stripped of its honours, its consequence and character; and above all, that such a course, in quest of such an object, is of injurious and demoralizing tendency. The chief magistracy of a free country is altogether valueless, and of empty import, save when it is conferred freely—the gift of freemen, unbiased and uncorrupted, apart from the fear of office to be lost, or the hope of office to be obtained: when thus obtained, no prouder station is known to man; differently procured, it is mere empty pageantry, an idle nothing, a post of distrust, disrespect, suspicion and trouble—its cares survive, while the blooming honours that hang around must lie withered, and sickly, and blighted. Who thus succeeds,

“Much sorrow shall he feel, and even more  
Than any slave, who labours at the oar.”

This visit to New Orleans was of soul inspiring character. Thousands had convened, specially to welcome the man who, in the darkest peril, had stood by the side of his country, “to shield her, and save her, or perish.” Companions in arms, who at the siege had borne privations and in continued dangers, and side by side, met and resisted the enemy, crowded to the battle ground, the scene of their former danger, there to welcome, and again to grasp the hand of their defender and chieftain. It was as “the memory of past joys, soft soothing and pleasant to the soul;” it was the rapid, fervid trace of the imagination back to those hours of watchfulness and exertion, when dangers were met, privations encountered, an enemy foiled, a country defended, and the hallowed principles of liberty

preserved, protected and saved. A number of steam boats, decorated after the most tasteful manner, representing the different states of the union, on the morning of the 8th, at the firing of a signal gun, united and formed a procession to the battle ground, below the city. The reception and ceremonies being there ended, they returned in the same order to the city, where the state authorities received and welcomed as their guest, him, who on that day thirteen years, had proved their deliverer.

While in the senate of the United States, General Jackson was ever found ardent in his course, free from every thing of motive, and faithful in discharge of the duties before him: zeal for the despatch of business, and persevering industry, with him were of marked and evident character. He did not wear out the time of legislation with frequent or long discourses: save to explain, and to present in detail matters proceeding from the Military Committee, of which he was chairman, he seldom offered any remarks to the senate. On two occasions, however, during the first session, when important matters impended, he participated in the presented discussions; and to those who previously had considered him a mere soldier, an unskilled statesman, he afforded evidences of a mind and capacity no less fitted for the cabinet than the field. One of the presented questions was in reference to the policy proper to be pursued by the government in relation to the Indians of this country, who in the anomalous capacity of distinct and independent sovereignties, within the limits of our own territorial jurisdiction, are treated with as such, and recognised as independent of our laws. In this discussion no senator appeared save himself and Mr. Rufus King of New York. The importance given to it by both speakers, was of a character peculiarly to interest all who were present, and to induce other members to forbear all participation: to them alone was the matter yielded, apart from the interference of others; Jackson maintaining, with his own personal observation introduced to prove the accuracy of the assertion, that the treaty making power as applicable to Indians, was a system of demoralizing effect—of bribery and corruption, wherein a few leading men and chiefs became possessed of all the favours and benefits of the government, to the entire exclusion of the poorer classes of the tribes: justice could alone be produced to them by some more fostering

and paternal care on the part of the general government, by some system to be resorted to different from that which prevailed. This being in executive session, at a time when all persons are excluded from the senate, no report of what passed has been preserved.

The other subject on which his views were disclosed, was a bill granting an annual appropriation for clothing, as military men term it, the fortifications—for procuring and placing ordnance for the defence of our fortified positions. On this occasion General Jackson delivered to the senate, and to a crowded auditory in the gallery and in the lobby, an able exposition of his views. He proceeded to show the reliance which even of necessity, at the onset of war, this country would have to repose on the militia; and of the importance of our fortifications in holding an enemy in check until the force of the country could be prepared and concentrated, and her resources called efficiently forth. He occupied the floor for about thirty or forty minutes, and during that time commanded the marked attention of the senate, many of whom were afterwards heard to pronounce what he had said to be full of elocution and practical illustration. He concluded his remarks with the following beautiful expression: "Do these things, Mr. President, and hereafter, my life on it, the combined fleets of Europe shall float in your waters as harmless as the swan that swims around their ships." This speech never appeared—it was lost: it was delivered at a time when those who acted as reporters, operated upon perhaps by political considerations, felt no solicitude to present Jackson in any other aspect than a meritorious and gallant soldier on the battle field, without the qualities and qualifications of a citizen or statesman: even now it is argued and maintained, "there all his merit lies." Who relies upon this as correct, disregards facts, or else is ignorant of the man. With a mind that stops not to consult the minor arrangements and order of orthography to the extent that others do, of more scholastic and synthetically trained habits, he moves industriously and onward to his purpose and to his conclusions, while for strength of thought and expression, and with a method so plain and lucid that all who read can understand, it is believed he has few superiors. Equivocal or ambiguous in nothing, he writes and speaks so clearly and plainly, as that none to comprehend him are compelled to a second reading, or to ask a further

repetition of his remarks. All who are acquainted with him admit his superior powers of perception and judgment, with a quickness and despatch in business, equalled by few, and surpassed by none; while his manners are of the most easy, familiar and polished cast: and yet such is the present politically excited state of the times, that he is represented, and many believe it, of a very converse character, of different deportment—"a military chieftain," and mere soldier, fit only for the battle strife. A successful general at the head of an army must be gifted with intelligence and a mind of a superior order; for without these it is confidently believed, no man ever did, or ever can make a distinguished commander. There is no situation, which than this, requires a higher exercise of the mental faculties, especially where the forces to be commanded consist of militia, always uninformed in the science of war, and not unfrequently insubordinate and dissatisfied. It was with troops of this description that General Jackson, during his whole career, was almost exclusively compelled to operate; and yet no general was ever more successful, or lost fewer men, considering the numerous battles by him fought and won. Ever cautious, and sparing of the lives of his soldiers, this curious and strange fact is presented, that in all his campaigns and different battles fought, the number of his killed and wounded is less than five hundred, while that of the different enemies he contended with, savage and civilized, could have been nothing short of five or six thousand. This could never have been effected apart from the exercise of superior caution, mind and judgment, and a vigilance most unremitting.

Andrew Jackson is no military chieftain. He was not bred a soldier, or reared to the profession of arms: the éclat he acquired, and the success which uniformly has attended him, and which eminently has redounded to the honour and advantage of his country, resulted from his alertness and untiring industry, and from that intuitive superiority of mind and judgment which in any other situation where he might be placed, would equally carry him to similar prosperous results. In war, the dependance of our country must be upon her citizens; and the greatest incentive to action is, that posts and places of the first distinction are open to all; merit is the alone passport; and this being possessed, the road to preferment lies unobstructed. Let it, however, be understood, that he, who amidst the dia

and strife of war, by energy and perseverance, and continued success, attains to high distinction, shall in consequence, afterwards be rejected from places of trust in civil life, and if the tendency of such decision be not to destroy, it must at least paralyze exertion in our future contests. The sweetest solace to a soldier for the privations and dangers encountered in war, is that his acts will be appreciated, and gratefully remembered by his countrymen. It is this emulation and pride of feeling which constitutes a citadel impregnable to the rudest assaults of despotism. Take it away; let the name of citizen soldier become a term of reproach, a species of ostracism, a disqualification to office, and liberty and the rights of man will presently be known "no more for ever." While the lofty spirit of Roman citizens remained, Rome knew no conqueror, no superior. While posts of honour and office in France stood open and accessible to merit, from whatever quarter arising, and every citizen felt himself a component part of the government, the name of Frenchman was but another term for invincible: and so must it ever be! For all time to come will it be found, that while freemen are giants, slaves and dependants are but mere dwarfs in their country's defence. But that man is without freedom and privilege, who is denied the possession of a right through want of any qualification other than what the constitution and laws require; and still more is he without them when the disqualification sought to be imposed, shall be the result of *motive*—of prejudice towards him, produced from efforts made in the cause of his country, for defending her against aggression, and in rescuing her from the grasp of an invading and powerful foe. Establish the principle: let the term successful commander become one of reproach, proscription, of disqualification to office, and civil trust, and who shall be found to fight our future battles? Love of country will then abate, and brave, and gallant, and enterprising men, that only safe rampart, where liberty can securely repose, will in moments of trial, in vain be sought for.



## NOTES.

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(A)

### *Proclamation of colonel Nicholls to the southern and western inhabitants.*

NATIVES of Louisiana! on you the first call is made, to assist in liberating from a faithless, imbecile government, your paternal soil: Spaniards, Frenchmen, Italians, and British, whether settled, or residing for a time in Louisiana, on you, also, I call, to aid me in this just cause: the American usurpation in this country must be abolished, and the lawful owners of the soil put in possession. I am at the head of a large body of Indians, well armed, disciplined, and commanded by British officers—a good train of artillery, with every requisite, seconded by the powerful aid of a numerous British and Spanish squadron of ships and vessels of war. Be not alarmed, inhabitants of the country, at our approach; the same good faith and disinterestedness, which has distinguished the conduct of Britons in Europe, accompanies them here; *you will have no fear of litigious taxes imposed on you for the purpose of carrying on an unnatural and unjust war*; your property, your laws, the peace and tranquillity of your country, will be guaranteed to you by men who will suffer no infringement of theirs; rest assured that these brave red men only burn with an ardent desire of satisfaction for the wrongs they have suffered from the Americans; to join you in liberating these southern provinces from their yoke, and drive them into those limits formerly prescribed by my sovereign. The Indians have pledged themselves, in the most solemn manner, not to injure, in the slightest degree, the persons or properties of any but enemies. A flag over any door, whether Spanish, French, or British, will be a certain protection; nor dare any Indian put his foot on the threshold thereof, under penalty of death from his own countrymen; not even an enemy will an Indian put to death, except resisting in arms; and as for injuring helpless women and children, the red men, by their good conduct, and treatment to them, will (if it be possible) make the Americans blush for their more inhuman conduct, lately on the Escambia, and within a neutral territory.

Inhabitants of Kentucky, you have too long borne with grievous impositions—the whole brunt of the war has fallen on your brave sons; be imposed on no longer, but either range yourselves under the standard of your forefathers, or observe a strict neutrality. If you comply with either of these offers, whatever provisions you send down, will be paid for in dollars, and the safety of the persons bringing it, as well as the free navigation of the Mississippi, guaranteed to you.

Men of Kentucky, let me call to your view (and I trust to your abhorrence) the conduct of those factions which hurried you into this civil, unjust, and unnatural war, at a time when Great Britain was straining every nerve, in defence of her own, and the liberties of the world—when the bravest of her sons were fighting and bleeding in so sacred a cause—when she was spending millions of her treasure in endeavouring to pull down one of the most formidable and dangerous tyrants that ever disgraced the form of man—when groaning Europe was almost in her last gasp—when Britons alone showed an undaunted front—basely did those assassins endeavour to stab her from the rear; she has turned on them, renovated from the bloody, but successful struggle—Europe is happy and free, and she now hastens, justly, to avenge the unprovoked insult. Show them that you are not collectively unjust: leave that *contemptible few* to shift for themselves; let those slaves of the tyrant send an embassy to Elba, and implore his aid; but let every honest, upright American spurn them with united contempt. After the experience of twenty-one years, can you longer support those brawlers for liberty, who call it freedom, when themselves are free? Be no longer their dupes—accept of my offers—every thing I have promised in this paper, I guarantee to you, on the *sacred honour* of a *British officer*.

Given under my hand, at my *head-quarters*,  
Pensacola, this 29th day of August, 1814.

EDWARD NICHOLLS.

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(B)

*Letter to commodore Daniel T. Patterson.*

PENSACOLA, 4th December, 1814.

SIR—I feel it a duty to apprise you of a very large force of the enemy off this port, and it is generally understood New Orleans is the object of attack. It amounts, at present, to about eighty vessels, and more than double that number are momentarily looked for, to form a junction, when an immediate commencement of their operations will take place. I am not able to learn how, when, or where the attack will be made; but I understand that they have vessels of all descriptions, and a large body of troops. Admiral Cochrane commands; and his ship, the *Tonnant*, lies, at this moment, just outside the bar. They certainly appear to have swept the West Indies of troops, and probably no means will be left untried to obtain their object. The admiral arrived only yesterday noon.

I am yours, &c.

N \* \* \*



(C)

*Letter from Charles K. Blanchard to general Jackson.*

NEW ORLEANS, March, 20, 1814.

SIR—I have the honour, agreeably to your request, to state to your excellency, in writing, the substance of a conversation that occurred between quarter-master Peddie, of the British army, and myself, on the 11th instant, on board his Britannic Majesty's ship Herald. Quarter-master Peddie observed, that the commanding officers of the British forces were daily in the receipt of every information from the city of New Orleans, which they might require, in aid of their operations, for the completion of the objects of the expedition;—that they were perfectly acquainted with the situation of every part of our forces, the manner in which the same was situated, the number of our fortifications, their strength, position, &c. 'As to the battery on the left bank of the Mississippi, he described its situation, its distance from the main post, and promptly offered me a plan of the works. He furthermore stated, that the above information was received from seven or eight persons, in the city of New Orleans, from whom he could, at any hour, procure every information necessary to promote his majesty's interest.

(D)

*Address of major-general Jackson, on the 8th of January, to the troops on the right bank of the river.*

While, by the blessing of heaven, one of the most brilliant victories was obtained by the troops under my immediate command, no words can express the mortification I felt, at witnessing the scene exhibited on the opposite bank. I will spare your feelings and my own, nor enter into detail on the subject. To all who reflect, it must be a source of eternal regret, that a few moments' exertion of that courage you certainly possess, was alone wanting to have rendered your success more complete than that of your fellow-citizens in this camp. To what cause was the abandonment of your lines owing? To fear? No! You are the countrymen, the friends, the brothers of those who have secured to themselves, by their courage, the gratitude of their country; who have been prodigal of their blood in its defence, and who are strangers to any other fear than disgrace. To disaffection to our glorious cause? No, my countrymen, your general does justice to the pure sentiments by which you are inspired. How then could brave men, firm in the cause in which they were enrolled, neglect their first duty, and abandon the post committed to their care? The want of discipline, the want of order, a total disregard to obedience, and a spirit of insubordination, not less destructive than cowardice itself, are the causes which led to this disaster, and they must be eradicated, or I must cease to command. I desire to

be distinctly understood, that every breach of orders, all want of discipline, every inattention to duty, will be seriously and promptly punished; that the attentive officers, and good soldiers, may not be mentioned in the disgrace and danger which the negligence of a few may produce. Soldiers! you want only the will, in order to emulate the glory of your fellow-citizens on this bank of the river—you have the same motives for action; the same interest, the same country to protect; and you have an additional interest, from past events, to wipe off reproach, and show that you will not be inferior, in the day of trial, to any of your countrymen.

But remember! without obedience, without order, without discipline, all your efforts are vain. The brave man, inattentive to his duty, is worth little more to his country than the coward who deserts her in the hour of danger. Private opinions, as to the competency of officers, must not be indulged, and still less expressed; it is impossible that the measures of those who command should satisfy all who are bound to obey; and one of the most dangerous faults in a soldier, is a disposition to criticise and blame the orders and characters of his superiors. Soldiers! I know that many of you have done your duty; and I trust, in future, I shall have no reason to make any exception. Officers! I have the fullest confidence that you will enforce obedience to your commands; but, above all, that by subordination in your different grades, you will set an example to your men; and that, hereafter, the army of the right will yield to none in the essential qualities which characterize good soldiers;—that they will earn their share of those honours and rewards which their country will prepare for its deliverers.

ANDREW JACKSON,

*Major-General commanding.*

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(E)

*Address delivered to major-general Andrew Jackson, by the reverend W. Dubourg, administrator apostolic of the diocese of Louisiana.*

GENERAL,—While the state of Louisiana, in the joyful transports of her gratitude, hails you as her deliverer, and the asserter of her menaced liberties—while grateful America, so lately wrapped up in anxious suspense, for the fate of this important city, is re-echoing from shore to shore your splendid achievements; and preparing to inscribe your name on her immortal rolls, among those of her Washingtons—while history, poetry, and the monumental arts, will vie in consigning to the admiration of the latest posterity, a triumph perhaps unparalleled in their records—while thus raised, by universal acclamation, to the very pinnacle of fame, how easy had it been for you, general, to forget the Prime Mover of your wonderful successes, and to assume to yourself a praise, which must essentially return to that exalted source whence every merit is derived. But, better acquainted with the nature of true glory, and justly placing the summit of your

ambition, in approving yourself the worthy instrument of Heaven's merciful designs, the first impulse of your religious heart was to acknowledge *the signal interposition of Providence*—your first step, a solemn display of *your humble sense of his favours*.

Still agitated at the remembrance of those dreadful agonies, from which we have been so miraculously rescued, it is our pride to acknowledge, that the Almighty has truly had the principal hand in our deliverance, and to follow you, general, in attributing to his infinite goodness, the homage of our unfeigned gratitude. Let the infatuated votary of a blind chance deride our credulous simplicity; let the cold-hearted Atheist look for the explanation of important events to the mere concatenation of human causes: to us, the whole universe is loud in proclaiming a Supreme Ruler, who, as he holds the hearts of men in his hands, holds also the thread of all contingent occurrences. "Whatever be His intermediate agents," says an illustrious prelate, "still on the secret orders of His all-ruling providence, depend the rise and prosperity, as well as the decline and downfall of empires. From His lofty throne, he moves every scene below, now curbing, now letting loose, the passions of men; now infusing His own wisdom into the leaders of nations; now confounding their boasted prudence, and spreading upon their councils a spirit of intoxication; and thus executing His uncontrollable judgments on the sons of men, according to the dictates of His own unerring justice."

To *Him*, therefore, our most fervent thanks are due, for our late unexpected rescue. It is *Him* we intend to praise, when considering you, general, as the *man of his right hand*, whom he has taken pains to fit out for the important commission of our defence. We extol that fecundity of genius, by which, under the most discouraging distress, you created unforeseen resources, raised, as it were, from the ground, hosts of intrepid warriors, and provided every vulnerable point with ample means of defence. To *Him* we trace that instinctive superiority of your mind, which at once rallied around you universal confidence; impressed one irresistible movement to all the jarring elements of which this political machine is composed; aroused their slumbering spirits, and diffused through every rank the noble ardour which glowed in your own bosom. To *Him*, in fine, we address our acknowledgments for that consummate prudence which defeated all the combinations of a sagacious enemy, entangled him in the very snares which he had spread for us, and succeeded in effecting his utter destruction, without exposing the lives of our citizens. Immortal thanks be to His Supreme Majesty, for sending us such an instrument of His bountiful designs! A gift of that value is the best token of the continuance of His protection—the most solid encouragement to sue for new favours. The first which it emboldens us humbly to supplicate, as nearest our throbbing hearts, is, that you may long enjoy the honour of your grateful country; of which you will permit us to present you a pledge, in this wreath of laurel, the prize of victory, the symbol of immortality. The next is a speedy and honourable termination of the bloody contest in which we are engaged. No one has so efficaciously laboured as you, general, for the acceleration of that blissful period; may we soon reap that sweetest fruit of your splendid and uninterrupted victories.

*General Jackson's Reply.*

REVEREND SIR,—I receive, with gratitude and pleasure, the symbolical crown which piety has prepared. I receive it in the name of the brave men who have so effectually seconded my exertions;—they well deserve the laurels which their country will bestow.

For myself, to have been instrumental in the deliverance of such a country, is the greatest blessing that heaven could confer. That it has been effected with so little loss—that so few tears should cloud the smiles of our triumph, and not a cypress leaf be interwoven in the wreath which you present, is a source of the most exquisite pleasure.

I thank you, reverend sir, most sincerely, for the prayers which you offer up for my happiness. May those your patriotism dictates, for our beloved country, be first heard: and may mine, for your individual prosperity, as well as that of the congregation committed to your care, be favourably received—the prosperity, wealth, and happiness of this city, will then be commensurate with the courage and other qualities of its inhabitants.

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(F)

*Answer submitted by major-general Jackson, on a rule to show cause why an attachment for contempt should not issue against him.*

Without submitting to the jurisdiction of the court, or acknowledging the regularity of its proceedings, but expressly denying the same—in order to give a fair and true exposition of his conduct, on every occasion in which it may be drawn into question—This Respondent saith,

That previously to, and soon after, his arrival in this section of the seventh military district, he received several letters and communications, putting him on his guard against a portion of the inhabitants of the state, the legislature, and foreign emissaries in the city. The population of the country was represented as divided by political parties and national prejudices: a great portion of them attached to foreign powers and disaffected to the government of their own country, and some, as totally unworthy of confidence. The militia was described as resisting the authority of their commander-in-chief, and encouraged in their disobedience by the legislature of the state. That legislature characterized as politically rotten, and the whole state in such a situation as to make it necessary to look for defence principally from the regular troops, and the militia from other states. Among those representations, the most important, from the official station of the writer, were those of the governor. On the 8th of August, 1814, he says—

“On a late occasion I had the mortification to acknowledge my inability to meet a requisition from general Flournoy, the corps of this city having, for the most part, resisted my orders, being encour-

aged in their disobedience by the legislature of the state, then in session; one branch of which, the senate, having declared the *requisition* illegal and oppressive, and the house of representatives having rejected a proposition to approve the measure. How far I shall be supported in my late orders, remains yet to be proved. I have reason to calculate upon the patriotism of the interior and western countries. Know also that there are many faithful citizens in New Orleans; but there are others, in whose attachment to the United States *I ought not to confide*. Upon the whole, sir, I cannot disguise the fact, that if Louisiana should be attacked, we must principally depend for security upon the prompt movement of the regular force under your command, and the militia of the western states and territories. At this moment, we are in a very unprepared and defenceless condition: several important points of defence remain unoccupied, and in case of a sudden attack, this capital would, I fear, fall an easy sacrifice."

On the 12th of the same month, the respondent was told—

"On the native Americans, and a vast majority of the Creoles of the country, I place much confidence, nor do I doubt the fidelity of many Europeans, who have long resided in the country; but there are others, much devoted to the interest of Spain, and whose partiality to the English is not less observable than their dislike to the American government."

In a letter of the 24th, the same ideas are repeated—

"Be assured, sir, that no exertions shall be wanting, on my part; but I cannot disguise from you, that I have a very difficult people to manage: to this moment, no opposition to the requisition has manifested itself, but I am not seconded with that *ardent zeal*, which, in my opinion, the crisis demands. We look with great anxiety to your movements, and place our greatest reliance for safety, on the energy and patriotism of the western states. In Louisiana, there are many faithful citizens; these last persuade themselves, that Spain will soon repossess herself of Louisiana, and they seem to believe, that a combined Spanish and English force will soon appear on our coast. If Louisiana is invaded, I shall put myself at the head of such of my militia as will follow me to the field, and, *on receiving, shall obey your orders*. I need not assure you of my entire confidence in you, as a commander, and of the pleasure I shall experience in supporting all your measures for the common defence; but, sir, a cause of indescribable chagrin to me is, that I am not at the head of a willing and united people: native Americans, native Louisianians, Frenchmen, and Spaniards, with some Englishmen, compose the mass of the population—among them, there exists much jealousy, and as great differences in political sentiments as in their language and habits. But, nevertheless, sir, if we are supported by a respectable body of regular troops, or of western militia, I trust I shall be able to bring to your aid, a valiant and faithful corps of Louisiana militia: but if we are left to rely *principally on our own resources*, I fear existing jealousies will lead to a distrust so general, that we shall be able to make but a feeble resistance."

On the 8th of September, the governor remarks, the spirit of dis-

affection is said to be greater than was supposed—the country is said to be filled with *spies* and *traitors*. “Enclosed you have copies of my late general orders. They may, and I trust will be obeyed; but to this moment my fellow-citizens have not manifested all that union and zeal the crisis demands, and their own safety requires. There is in this city a much *greater spirit of disaffection* than I had anticipated; and among the faithful Louisianians there is a *despondency* which palsies all my preparations; they see no strong regular force, around which they could rally with confidence, and they seem to think themselves not within the reach of seasonable assistance from the western states. I am assured, sir, you will make the most judicious disposition of the forces under your command; but excuse me for suggesting, that the presence of the seventh regiment, at or near New Orleans, will have the most salutary effect. The garrison here at present is alarmingly weak, and is a cause of much regret: from the great mixture of persons, and characters, in this city, we have as much to apprehend from within as from without. In arresting the intercourse between New Orleans and Pensacola, you have done right. Pensacola is, in fact, an enemy’s post, and had our commercial intercourse with it continued, the supplies furnished to the enemy would have so much exhausted our own stock of provisions, as to have occasioned the most serious inconvenience to ourselves. I was on the point of taking on myself the prohibition of the trade with Pensacola: I had prepared a proclamation to that effect, and would have issued it the very day I heard of your interposition. Enemies to the country may blame you for your prompt and energetic measures; but, in the person of every patriot, you will find a supporter. I am very confident of the very lax police of this city, and indeed throughout the state, with respect to the visits of strangers. I think, with you, that our country is filled with spies and traitors: I have written pressing on the subject to the city authorities and parish judges.—I hope some efficient regulations will speedily be adopted by the first, and more vigilance exerted for the future by the latter.”

On the 19th of September, speaking of the drafts of militia, he says—

“The only difficulty I have hitherto experienced in meeting the requisition, has been in this city, and exclusively from some European Frenchmen, who, after giving their adhesion to Louis XVIII, have, through the medium of the French consul, claimed exemption from the drafts, as French subjects. The question of exemption, however, is now under discussion, before a special court of inquiry, and I am not without hopes, that these ungrateful men may yet be brought to a discharge of their duties.”

On the necessity of securing the country against the machinations of foreigners, he, on the 4th of November, informed the respondent—

“You have been informed of the contents of an intercepted letter, written by colonel Coliel, a Spanish officer, to captain Morales, of Pensacola.—This letter was submitted for the opinion of the attorney-general of the state, as to measures to be pursued against the writer. The attorney-general was opinion, that the courts could take no cognizance of the same: but that the governor might order the

writer to leave the state, and in case of refusal, to send him off by force. I accordingly, sir, ordered colonel Coliel to take his departure, in forty-eight hours, for Pensacola, and gave him the necessary passports. I hope this measure may meet your approbation. It is a just retaliation for the conduct lately observed by the governor of Pensacola, and may induce the Spaniards, residing among us, to be less communicative upon those subjects which relate to our military movements.

With the impressions this correspondence was calculated to produce, the respondent arrived in this city, where, in different conversations, the same ideas were enforced, and he was advised, not only by the governor of the state, but very many influential persons, to proclaim MARTIAL LAW, as the only means of producing union, overcoming disaffection, detecting treason, and calling forth the energies of the country. This measure was discussed and recommended to the respondent, as he well recollects, in the presence of the judge of this honourable court, who not only made no objection, but seemed, by his gestures and silence, to approve of its being adopted. These opinions, respectable in themselves, derived greater weight from that which the governor expressed, of the legislature then in session. He represented their fidelity as very doubtful; ascribed design to their prolonged session; and appeared extremely desirous that they should adjourn.

The respondent had also been informed that, in the house of representatives, the idea that a very considerable part of the state belonged to the Spanish government, and ought not to be represented, had been openly advocated, and favourably heard. The co-operation of the Spaniards with the English, was, at that time, a prevalent idea.—This information, therefore, appeared highly important. He determined to examine, with the utmost care, all the facts that had been communicated to him; and not to act upon the advice he had received, until the clearest demonstration should have determined its propriety. He was then almost an entire stranger in the place he was sent to defend, and unacquainted with the language of a majority of its inhabitants. While these circumstances were unfavourable to his obtaining information, on the one hand, they precluded, on the other, a suspicion that his measures were dictated by personal friendship, private animosity, or party views. Uninfluenced by such motives, he began his observations. He sought for information, and to obtain it, communicated with men of every description. He believed that even then he discovered those high qualities, which have since distinguished those brave defenders of their country:—that the variety of language, the difference of habit, and even the national prejudices, which seemed to divide the inhabitants, might be made, if properly directed, the source of the most honourable emulation. Delicate attentions were necessary to foster this disposition; and the highest energy, to restrain the effects that such an assemblage was calculated to produce; he determined to avail himself of both, and with this view called to his aid the impulse of national feeling, the higher motives of patriotic sentiment, and the noble enthusiasm of valour. They operated in a manner which history will record; all

who could be influenced by those feelings, rallied without delay, round the standard of their country. Their efforts, however, would have been unavailing, if the disaffected had been permitted to counteract them by their treason, the timid to paralyze them by their example, and both to stand aloof in the hour of danger, and enjoy the fruit of victory, without participating in the danger of defeat.

A disciplined and powerful army was on our coast, commanded by officers of tried valour and consummate skill; their fleet had already destroyed the feeble defence, on which, alone, we could rely to prevent their landing on our shores. Their point of attack was uncertain—a hundred inlets were to be guarded, by a force not sufficient in number for one; we had no lines of defence; treason lurked among us, and only waited the moment of expected defeat to show itself openly. Our men were few, and of those few, not all were armed; our prospect of aid and supply was distant and uncertain; our utter ruin, if we failed, at hand, and inevitable; every thing depended on the prompt and energetic use of the means we possessed—on calling the whole force of the community into action; it was a contest for the very existence of the state, and every nerve was to be strained in its defence. The physical force of every individual, his moral faculties, his property, and the energy of his example, were to be called into action, and instant action. No delay—no hesitation;—no inquiry about rights, or *all* was lost; and every thing dear to man, his property, life, the honour of his family, his country, its constitution and laws, were swept away by the avowed principles, the open practice of the enemy with whom we had to contend. Fortifications were to be erected, supplies procured, arms sought for, requisitions made, the emissaries of the enemy watched, lurking treason overawed, insubordination punished, and the contagion of cowardly example to be stopped.

In this crisis, and under a firm persuasion that none of those objects could be effected by the exercise of the ordinary powers confided to him—under a solemn conviction that the country committed to his care could be saved by that measure only from utter ruin—under a religious belief, that he was performing the most important and sacred duty, the respondent proclaimed martial law. He intended, by that measure, to supersede such civil powers as, in their operation, interfered with those he was obliged to exercise. He thought, in such a moment, constitutional forms must be suspended, for the permanent preservation of constitutional rights, and that there could be no question, whether it were best to depart for a moment, from the enjoyment of our dearest privileges, or have them *wrested* from us for ever. He knew, that if the civil magistrates were permitted to exercise their usual functions, none of the measures necessary to avert the awful fate that threatened us, could be expected. Personal liberty cannot exist at a time when every man is required to become a soldier. Private property cannot be secured when its use is indispensable to the public safety. Unlimited liberty of speech is incompatible with the discipline of a camp; and that of the press more dangerous still, when made the vehicle of conveying intelligence to the enemy, or exciting mutiny among the troops. To have suffered



the uncontrolled enjoyment of any of those rights, during the time of the late invasion, would have been to abandon the defence of the country: the civil magistrate is the guardian of those rights; and the proclamation of martial law was therefore intended to supersede the exercise of his authority, so far as it interfered with the necessary restrictions of those rights; *but no further.*

The respondent states these principles explicitly, because they are the basis of his defence, and because a mistaken notion has been circulated, that the declaration of martial law only subjected the militia in service to its operation. This would, indeed, have been a very useless ceremony, as such persons were already subject to it, without the addition of any other act. Besides, if the proclamation of martial law were a measure of necessity,—a measure, without the exercise of which the country must unquestionably have been conquered, then does it form a complete justification for the act. If it do not, in what manner will the proceeding by attachment for contempt be justified? It is undoubtedly and strictly a criminal prosecution; and the constitution declares, that in all criminal prosecutions, the accused shall have the benefit of a trial by jury; yet a prosecution is even now going on in this court, where no benefit is allowed. Why? From the alleged necessity of the case, because courts could not, it is said, subsist without a power to punish promptly by their own act, and without the intervention of a jury. Necessity then, may, in some cases, justify a departure from the constitution: and if, in the doubtful case of avoiding confusion in a court, shall it be denied in the serious one of preserving a country from conquest and ruin? The respondent begs leave to explain, that in using this argument, he does not mean to admit the existence of necessity in the case of attachment; but to show that the principle of a justification from necessity is admitted, even in the weaker case. If the legislature of the United States have given to courts the power to punish contempt, it is no answer to this defence, for the reason—first, because the words of the law do not necessarily exclude the intervention of a jury; and secondly, if they do, the law itself is contrary to the words of the constitution, and can only be supported on the plea of necessity; to which head it is referred by the English writers on the subject.

The only responsibility which has been incurred in the present case is that which arises from necessity. This, the respondent agrees, must not be doubtful; it must be apparent, from the circumstances of the case, or it forms no justification. He submits all his acts, therefore, to be tested by this rule.

To the forcible reasons which he has detailed, as impelling him to this measure, he ought to add, that he has since, by the confession of the enemy himself, received a confirmation of the opinions, which he had then good reason to believe; that there were men among us so depraved, as to give daily and exact information of our movements, and our forces; that the number of those persons was considerable, and their activity unceasing. The names of those wretches will probably be discovered; and the respondent persuades himself, that this tribunal will employ itself, with greater satisfaction, in inflicting

the punishment due to their crimes, than it now does in investigating the measures that were taken to counteract them.

If example can justify, or the practice of others serve as a proof of necessity, the respondent has ample materials for his defence; not from analogous construction, but from the conduct of all the different departments of the state government, in the very case now under discussion.

The legislature of the state, having no constitutional power to regulate or restrain commerce, on the — day of December inst passed an act laying an embargo—the executive sanctioned it, and, from a conviction of its necessity, it was acquiesced in. The same legislature shut up the courts of justice for four months, to all civil suitors—the same executive sanctioned that law, and the judiciary not only acquiesced, but solemnly approved it.

The governor, as appears by one of the letters quoted, undertook to inflict the punishment of exile upon an inhabitant, without any form of law, merely because he thought that an individual's presence might be dangerous to the public safety.

The judge of this very court, duly impressed with the emergency of the moment, and the necessity of employing every means of defence, consented to the discharge of men committed and indited for capital crimes, without bail, and without recognizance: and probably under an impression that the exercise of his functions would be useless, absented himself from the place where his court was to be holden, and postponed its session, during a regular term.

Thus the conduct of the legislative, executive, and judiciary branches of the government of this state, have borne the fullest testimony of the existence of the necessity, on which the respondent relies.

The unqualified approbation of the legislature of the United States, and such of the individual states as were in session, ought also to be admitted, as no slight means of defence; inasmuch as all these respectable bodies were fully apprised of his proclamation of martial law, and some of them seem to refer to it, by thanking him for the energy of his measures.

The respondent, therefore, believes he has established the necessity of proclaiming martial law. He has shown the effects of that declaration; and it only remains to prove, in answer to the rule, that the power assumed from necessity, was not abused in its exercise, nor improperly protracted in its duration.

All the acts mentioned in the rule, took place after the enemy had retired from the position they had at first assumed—after they had met with a signal defeat, and after an unofficial account had been received of the signature of a treaty of peace. Each of these circumstances might be, to one who did not see the whole ground, a sufficient reason for supposing that further acts of energy and vigour were unnecessary. On the mind of the respondent, they had a different effect. The enemy had retired from their position, it is true; but they were still on the coast, and within a few hours' sail of the city. They had been defeated, and with loss; but that loss was to

be repaired by expected reinforcements. Their numbers still much more than quadrupled all the regular forces which the respondent could command; and the term of service of his most efficient militia force was about to expire. Defeat, to a powerful and active enemy, was more likely to operate as an incentive to renewed and increased exertion, than to inspire them with despondency, or to paralyze their efforts. A treaty, it is true, had been probably signed; yet it might not be ratified. Its contents had not transpired, and no reasonable conjecture could be formed, that it would be acceptable. The influence which the account of its signature had on the army, was deleterious in the extreme, and showed a necessity for increased energy, instead of a relaxation of discipline. Men, who had shown themselves zealous in the preceding part of the campaign, now became lukewarm in the service. Those whom no danger could appal, and no labour discourage, complained of the hardships of the camp. When the enemy were no longer immediately before them, they thought themselves oppressed, by being detained in service. Wicked and weak men, who, from their situation in life, ought to have furnished a better example, secretly encouraged this spirit of insubordination. They affected to pity the hardships of those who were kept in the field; they fomented discontent by insinuating that the merits of those to whom they addressed themselves, had not been sufficiently noticed or applauded; and to so high a degree had the disorder at length risen, that at one period, only fifteen men and one officer, out of a whole regiment, stationed to guard the very avenue through which the enemy had penetrated into the country, were found at their post. At another point equally important, a whole corps, on which the greatest reliance had been placed, operated upon by the acts of a foreign agent, suddenly deserted their post.

If, trusting to an uncertain peace, the respondent had revoked his proclamation, or ceased to act under it, the fatal security by which we were lulled, might have destroyed all discipline, have dissolved all his force, and left him without any means of defending the country against an enemy, instructed, by the traitors within our own bosom, of the time and place at which he might safely make his attack. In such an event, his life might have been offered up; yet it would have been but a feeble expiation, for the disgrace and misery, into which, by his criminal negligence, he had permitted the country to be plunged.

He thought peace a probable, but by no means a certain event. If it had really taken place, a few days must bring the official advice of it; and he believed it better to submit, during those few days, to the salutary restraints imposed, than to put every thing dear to ourselves and country at risk upon an uncertain contingency. Admit the chances to have been a hundred or a thousand to one in favour of the ratification, and against any renewed attempts of the enemy; what should we say or think of the prudence of the man, who would stake his life, his fortune, his country, and his honour, even with such odds in his favour, against a few days' anticipated enjoyment of the blessings of peace? The respondent could not bring himself to play so deep a hazard; uninfluenced by the clamours of the ignorant and the design-

ing, he continued the exercise of that law which necessity had compelled him to proclaim; and he still thinks himself justified, by the situation of affairs, for the course which he adopted and pursued. Has he exercised this power wantonly, or improperly? If so, he is liable; not, as he believes, to this honourable court for contempt, but to his government for an abuse of power, and those individuals whom he has injured, in damages proportioned to that injury.

About the period last described, the consul of France, who appears, by governor Claiborne's letter, to have embarrassed the first drafts by his claims in favour of pretended subjects of his king, renewed his interference; his certificates were given to men in the ranks of the army; to some who had never applied, and to others who wished to use them as the means of obtaining an inglorious exemption from danger and fatigue. The immunity derived from these certificates not only thinned the ranks, by the withdrawal of those to whom they were given, but produced the desertion of others, who thought themselves equally entitled to the privilege; and to this cause must be traced the abandonment of the important post of Chef Menteur, and the temporary refusal of a relief ordered to occupy it.

Under these circumstances, to remove the force of an example which had already occasioned such dangerous consequences, and to punish those who were so unwilling to defend what they were so ready to enjoy, the respondent issued a general order, directing those French subjects, who had availed themselves of the consul's certificates, to remove out of the lines of defence, and far enough to avoid any temptation of intercourse with our enemy, whom they were so scrupulous of opposing. This measure was resorted to, as the mildest mode of proceeding against a dangerous and increasing evil; and the respondent had the less scruple of his power, in this instance, as it was not quite so strong as that which governor Claiborne had exercised, before the invasion, by the advice of his attorney-general, in the case of colonel Click.

It created, however, some sensation;—disscontents were again fomented, from the source that had first produced them. Aliens and strangers became the most violent advocates of constitutional rights, and native Americans were taught the value of their privileges, by those who formally disavowed any title to their enjoyment. The order was particularly opposed, in an anonymous publication. In this, the author deliberately and wickedly misrepresented the order, as subjecting to removal all Frenchmen whatever, even those who had gloriously fought in defence of the country; and, after many dangerous and unwarrantable declarations, he closes, by calling upon all Frenchmen to flock to the standard of their consul—thus advising and producing an act of mutiny and insubordination, and publishing the evidence of our weakness and discord to the enemy, who were still in our vicinity, anxious, no doubt, before the cessation of hostilities, to wipe away the late stain upon their arms. To have silently looked on such an offence, without making any attempt to punish it, would have been a formal surrender of all discipline, all order, all personal dignity, and public safety. This could not be done; and the respondent immediately ordered the arrest of the offender. A writ

of habeas corpus was directed to issue for his enlargement. The very case which had been foreseen, the very contingency on which martial law was intended to operate, had now occurred. The civil magistrate seemed to think it his duty to enforce the enjoyment of civil rights, although the consequences which have been described, would probably have resulted. An unbending sense of what he seemed to think his station required, induced him to order the liberation of the prisoner. This, under the respondent's sense of duty, produced a conflict which it was his wish to avoid.

No other course remained, than to enforce the principles which he had laid down as his guide, and to suspend the exercise of this judicial power, wherever it interfered with the necessary means of defence. The only way effectually to do this, was to place the judge in a situation in which his interference could not counteract the measures of defence, or give countenance to the mutinous disposition that had shown itself in so alarming a degree. Merely to have disregarded the writ, would but have increased the evil, and to have obeyed it, was wholly repugnant to the respondent's ideas of the public safety, and to his own sense of duty. The judge was therefore confined, and removed beyond the lines of defence.

As to the paper mentioned in the rule, which the respondent is charged with taking and detaining, he answers, that when the writ was produced by the clerk of this honourable court, the date of its issuance appeared to have been altered from the 5th to the 6th. He was questioned respecting the apparent alteration, and acknowledged it had been done by judge Hall, and not in the presence of the party who made the affidavit. This material alteration, in a paper that concerned him, gave the respondent, as he thought, a right to detain it for further investigation, which he accordingly did; but gave a certified copy, and an acknowledgment that the original was in his possession.

The respondent avows, that he considered this alteration in the date of the affidavit, as it was then explained to him by the clerk, to be such evidence of a personal, not judicial interference, and activity, in behalf of a man charged with the most serious offence, as justified the idea then formed, that the judge approved his conduct, and supported his attempts to excite disaffection among the troops.

This was the conduct of the respondent, and these the motives which prompted it. They have been fairly and openly exposed to this tribunal, and to the world, and would not have been accompanied by any exception or waver of jurisdiction, if it had been deemed expedient to give him that species of trial, to which he thinks himself entitled, by the constitution of his country. The powers which the exigency of the times forced him to assume, have been exercised exclusively for the public good; and, by the blessing of God, they have been attended with unparalleled success. They have saved the country; and whatever may be the opinion of that country, or the decrees of its courts, in relation to the means he has used, he can never regret that he employed them.

ANDREW JACKSON.

(G)

*Address to the troops at New Orleans, after the annunciation of peace.*

The major-general is at length enabled to perform the pleasing task of restoring to Tennessee, Kentucky, Louisiana, and the territory of the Mississippi, the brave troops who have acted such a distinguished part in the war which has just terminated. In restoring these brave men to their homes, much exertion is expected of, and great responsibility imposed on, the commanding officers of the different corps. It is required of major-generals Carroll and Thomas, and brigadier-general Coffee, to march their commands, without unnecessary delay, to their respective states. The troops from the Mississippi territory and state of Louisiana, both militia and volunteers, will be immediately mustered out of service, paid, and discharged.

The major-general has the satisfaction of announcing the approbation of the president of the United States to the conduct of the troops under his command, expressed, in flattering terms, through the honourable the secretary at war.

In parting with those brave men, whose destinies have been so long united with his own, and in whose labours and glories it is his happiness and his boast to have participated, the commanding general can neither suppress his feelings, nor give utterance to them as he ought. In what terms can he bestow suitable praise on merit so extraordinary, so unparalleled? Let him, in one burst of joy, gratitude, and exultation, exclaim—"These are the saviours of their country—these the patriot soldiers, who triumphed over the invincibles of Wellington, and conquered the conquerors of Europe!" With what patience did you submit to privations—with what fortitude did you endure fatigue—what valour did you display in the day of battle! You have secured to America a proud name among the nations of the earth—a glory which will never perish.

Possessing those dispositions, which equally adorn the citizen and the soldier, the expectations of your country will be met in peace, as her wishes have been gratified in war. Go, then, my brave companions, to your homes; to those tender connexions, and blissful scenes; which render life so dear—full of honour, and crowned with laurels which will never fade. When participating in the bosoms of your families, the enjoyment of peaceful life, with what happiness will you not look back to the toils you have borne—to the dangers you have encountered? how will all your past exposures be converted into sources of inexpressible delight? Who, that never experienced your sufferings, will be able to appreciate your joys? The man who slumbered ingloriously at home, during your painful marches, your nights of watchfulness, and your days of toil, will envy you the happiness which these recollections will afford—still more will he envy the gratitude of that country, which you have so eminently contributed to save.

Continue, fellow soldiers, on your passage to your several destinations, to preserve that subordination, that dignified and manly deportment, which have so ennobled your character.

While the commanding general is thus giving indulgence to his feelings, towards those brave companions, who accompanied him through difficulties and dangers, he cannot permit the names of Blount, and Shelby, and Holmes, to pass unnoticed. With what generous ardour and patriotism have these distinguished governors contributed all their exertions, to provide the means of victory! The recollection of their exertions, and of the success which has resulted, will be to them a reward more grateful than any which the pomp of title, or the splendour of wealth, can bestow.

What happiness it is to the commanding general, that while danger was before him, he was, on no occasion, compelled to use towards his companions in arms, either severity or rebuke! If, after the enemy had retired, improper passions began their empire in a few unworthy bosoms, and rendered a resort to energetic measures necessary for their suppression, he has not confounded the innocent with the guilty—the seduced with the seducers. Towards you, fellow-soldiers, the most cheering recollections exist; blended, alas! with regret, that disease and war should have ravished from us so many worthy companions. But the memory of the cause in which they perished, and of the virtues which animated them while living, must occupy the place where sorrow would claim to dwell.

Farewell, fellow-soldiers. The expression of your general's thanks is feeble; but the gratitude of a country of freemen is yours—yours the applause of an admiring world.

ANDREW JACKSON,  
*Major-General commanding.*

THE END.

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